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C A N A D A

DOMINION BUREAU OF STATISTICS

GENERAL STATISTICS BRANCH

DIVORCES IN CANADA

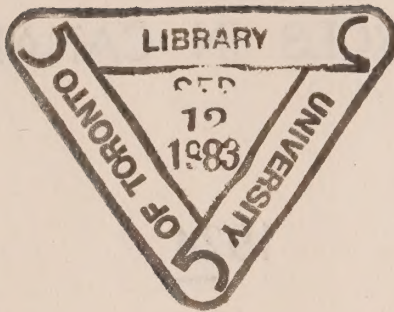
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OTTAWA

1925



DOMINION BUREAU OF STATISTICS
GENERAL STATISTICS BRANCH
OTTAWA

Dominion Statistician, R.H.Coats, B.A.,F.S.S(Hon.) F.R.S.C.
Chief, General Statistics Branch, S.A.Cudmore, M.A.,F.S.S

DIVORCE IN CANADA, 1924.

Statistics of divorces, secured from the authorities of seven provinces where divorces are granted by the courts and from the Dominion statutes for Ontario and Quebec, and compiled by the General Statistics Branch of the Dominion Bureau of Statistics, show an increase of 38 in the number of divorces granted in Canada during 1924 over the previous year. A total of 543 divorces were granted during the calendar year 1924, as compared with 505 during the calendar year 1923 - an increase of 7.5 p.c. The 1924 total is only 5 less than the record number, granted in 1921.

The increase in divorces granted from 1916 to 1921 has been ascribed to the unsettling psychological effects of the war period and the long separations of men from their wives, combined with the new facilities for obtaining divorce, provided by a decision of the Judicial Committee of the Privy Council, which enabled the courts of the Prairie Provinces to grant divorces. Decreases in the totals in 1922 and 1923 appeared to indicate a decline in divorces which might be ascribed to the cessation of abnormal war-time conditions, but the comparatively large increase in 1924, six years after the Armistice, must evidently be attributed to the greater ease with which decrees may now be obtained and, possibly, to a more lenient view of such proceedings on the part of the community. It may be remarked, however, that any attempt to attribute increases or decreases throughout the Dominion to any particular cause must be very approximate, since Table 1, following, shows the fluctuations in the various provinces to be quite irregular.

The number of divorces granted during 1924, by provinces, (Table 1) was 136 in British Columbia, 118 in Alberta, 114 in Ontario, 77 in Manitoba, 42 in Nova Scotia, 28 in Saskatchewan, 15 in New Brunswick, 13 in Quebec and none in Prince Edward Island, where, indeed, only one divorce has been granted since Confederation.

The largest increase in divorces in any province during the year was in Alberta, where 1924 showed an increase of 31 over 1923. Next in order were Nova Scotia, Ontario and Quebec, with increases of 20, 9 and 2 respectively. Saskatchewan, Manitoba, New Brunswick and British Columbia recorded respective decreases of 15, 4, 4, and 3. In addition to the actual increases or decreases by provinces, attention may also be drawn to the larger number of decrees granted to wives in Nova Scotia, Manitoba and Alberta, to husbands in Nova Scotia and Alberta and to the smaller number granted to husbands in Manitoba and to wives in Saskatchewan, (See Table 2).

The Sex of Applicants for Divorces.-

It will be seen that, in the common division of divorce statistics into those granted to husbands and to wives, the 1924 figures indicate a change from the preceding year. In 1922 and 1923, divorces granted to husbands in Canada formed respectively 58 and 53.5 p.c. of the total number granted. In 1924, however, this percentage dropped to 48.8 p.c. The change in relative proportions is very probably to be accounted for by the recent demand for equal rights for either sex in divorce proceedings. In comparing Canadian divorces in this respect with those in New Zealand and in the United States, it is seen that the decrees granted in New Zealand are also distributed practically evenly between the sexes, while in the United States, since 1889, the proportion between decrees granted to husbands and to wives has been approximately 1 to 2 respectively.

(A possible indication of the grounds of petitions and decrees may be had from statistics of divorce in New Zealand, where a preponderance of divorces are granted to husbands on grounds of adultery and separation, while a corresponding preponderance of decrees based on desertion are granted to wives. In the United States, however, 40 p.c. of the divorces granted to wives are on grounds of cruelty, while 44 p.c. of those to husbands are on grounds of desertion. In the latter country, as in New Zealand, a correspondingly larger proportion of decrees are granted to husbands on grounds of adultery than to wives).

Divorces Granted in United States to Persons Married in Canada.-

A fact which throws considerable new light on the divorce situation in Canada is found in the Marriage and Divorce Bulletin of the United States Bureau of the Census. The statistics of this publication indicate the surprisingly large extent to which divorces are granted in that country to persons married in Canada. Thus, in 1922, no fewer than 1,368 divorce decrees were granted to couples married in Canada, a number more than $2\frac{1}{2}$ times as large as the total number granted in Canada in the same year. This number also formed 36.2 p.c. of the number of divorces granted in United States during the year to couples married in foreign countries; while, at the same time, the percentage of the Canadian-born population to the total foreign-born amounted to only 8.1 p.c. The Bulletin goes on to say; "It is possible that many Canadians acquire a residence in the United States for the sole purpose of obtaining divorce because in general, divorce laws are more liberal in the United States than in Canada". Of the 1,368 divorces granted to couples who had been married in Canada, no fewer than 462 were granted by the courts of the State of Michigan, while 135 were granted in the State of Washington and 128 in California.

Ottawa, April 9, 1925-KH.

I. DIVORCES GRANTED IN CANADA, 1913 - 1924.

(Final Decrees.)

Year	Ont.	Que.	Alta.	Sask.	Man.	Nova Scotia	New Brunswick	British Columbia	Total for Canada
1913	20	4	4	1	6	-	4	20	59
1914	18	7	4	2	2	10	12	15	70
1915	10	3	3	1	1	13	6	16	53
1916	18	1	1	2	2	14	11	18	67
1917	10	4	2	1	-	8	6	23	54
1918	10	2	2	1	-	24	10	65	114
1919	49	4	36	3	88	36	13	147	376
1920	91	9	65	26	42	45	15	136	429
1921	101	9	84	50	122	41	13	128	548
1922	90	6	129	37	97	35	12	138	544
1923	105	11	87	41	81	22	19	139-1/	505
1924	114	13	118	28	77-2/	42	15	136-1/	543

Note: In Prince Edward Island, only one divorce was granted between 1868 and 1924; this was granted in 1913.

1/ One granted by Dominion Parliament.

2/ Two granted by Dominion Parliament.

II. DIVORCES GRANTED IN CANADA IN 1923 AND 1924,
BY PROVINCES AND SEX OF PLAINTIFF.

(Final Decrees).

Provinces	To Husbands		To Wives		Total	
	1923	1924	1923	1924	1923	1924
Prince Edward Island	-	-	-	-	-	-
Nova Scotia	14	20	8	22	22	42
New Brunswick	10	7	9	8	19	15
Quebec	4	5	7	8	11	13
Ontario	45	49	60	65	105	114
Manitoba	49	35-1/	32	42-1/	81	77-2/
Saskatchewan	25	22	16	6	41	28
Alberta	58	65	29	53	87	118
British Columbia	65	62	74-1/	74-1/	139-1/	136-1/
Canada	270	265	235	278	505	543

1/ One granted by Dominion Parliament.

2/ Two granted by Dominion Parliament.

COMPARISONS WITH OTHER COUNTRIES.

In Table 3 are added comparative figures of divorces and marriages in England and Wales, Australia, New Zealand and Canada for the years 1916 to 1922 or 1923. The percentage of divorces to marriages, taking place in the same year, as here given, is seen in the case of England and Wales to have increased during eight years from 0.35 p.c. to 0.91 p.c.; in Australia from 1.53 p.c. to 2.81 p.c.; in New Zealand from 2.41 p.c. to 5.20 p.c. and in Canada from 0.1 p.c. to 0.8 p.c. Similar figures for the United States, where, of course, the total number of divorces is unusually large owing to the comparative ease with which they may be obtained, show increases from 27,919 in 1887 to 42,937 in 1896, 72,062 in 1906, 112,036 in 1916 and 148,815 in 1922. The percentage of divorces to marriages increased from 10.8 to 13.2 during the years 1916 to 1922, divorces alone during this period increasing by 33 p.c.

III. NUMBER OF MARRIAGES AND DIVORCES IN ENGLAND AND WALES, AUSTRALIA, NEW ZEALAND AND CANADA IN RECENT YEARS.

Year	England and Wales		Australia		New Zealand		Canada	
	No. of Marr- riages	No. of Div- orces	No. of Marr- riages	No. of Div- orces	No. of Marr- riages	No. of Div- orces	No. of Marr- riages	No. of Div- orces
1916	279,846	990	40,289	617	8,213	198	65,000	1/ 67
1917	258,855	703	33,666	652	6,417	221	60,000	1/ 54
1918	287,163	1,111	33,141	697	6,227	203	55,000	1/ 114
1919	369,411	1,654	40,540	891	9,519	337	70,000	1/ 376
1920	379,658	3,090	51,552	1,060	12,175	471	80,931	429
1921	320,852	3,522	46,869	1,405	10,635	513	69,732	548
1922	299,524	2,588	44,731	1,258	9,556	523	64,420	544
1923	292,408	2,667	44,541	-	10,070	524	65,500	1/ 505
1924	-	-	-	-	-	-	-	543

1/ Estimated.

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C A N A D A

DEPARTMENT OF TRADE AND COMMERCE

DOMINION BUREAU OF STATISTICS

GENERAL STATISTICS BRANCH

DIVORCES IN CANADA

1925

Published by Authority of the Hon. J. A. Robb, M. P.,
Acting Minister of Trade and Commerce.

OTTAWA

1926

DOMINION BUREAU OF STATISTICS
GENERAL STATISTICS BRANCH
OTTAWA

Dominion Statistician, R.H.Coats, B.A., F.S.S. (Hon.), F.R.S.C.
Chief, General Statistics Branch, S.A.Cudmore, M.A. F.S.S.

DIVORCES IN CANADA, 1925.

(With supplementary notes on Jurisdiction in Divorce in Canada and on the Divorce Act of 1925.)

Statistics of divorces, secured from the authorities of six provinces where divorces are granted by the courts and from the Dominion statutes for Ontario and Quebec, and compiled by the General Statistics Branch of the Dominion Bureau of Statistics, show an increase of 8 in the number of divorces granted in Canada during 1925 over the previous year. A total of 551 divorces were granted during the calendar year 1925, as compared with 543 during the calendar year 1924 - an increase of 1.5 p.c. The 1925 total is 3 greater than the largest number previously recorded in any one year (1921).

The increase in divorces granted from 1916 to 1921 has been ascribed to the unsettling psychological effects of the war period and the long separations of men from their wives, combined with the new facilities for obtaining divorce, provided by a decision of the Judicial Committee of the Privy Council, which enabled the courts of Alberta and Saskatchewan to grant divorces. Decreases in the totals in 1922 and 1923 appeared to indicate a decline in divorces which might be ascribed to the war-time conditions, but the comparatively large increase in 1924 and 1925, six years after the Armistice, must evidently be attributed to the greater ease with which decrees may now be obtained and, possibly, to a more lenient view of such proceedings on the part of the community. It may be remarked, however, that any attempt to attribute increases or decreases throughout the Dominion to any particular cause must be very approximate, since Table 1, following, shows the fluctuations in the various provinces to be quite irregular.

The number of divorces granted during 1925, by provinces, (Table 1) was 150 in British Columbia, 121 in Ontario, 101 in Alberta, 79 in Manitoba, 42 in Saskatchewan, 30 in Nova Scotia, 15 in New Brunswick, 13 in Quebec and none in Prince Edward Island, where, indeed, only one divorce has been granted since Confederation.

The largest increases in divorces granted during the year were in British Columbia and Saskatchewan, in both of which the 1925 figures showed increases of 14 over 1924. Ontario and Manitoba showed respective increases of 7 and 2. In Quebec and New Brunswick the numbers of divorces granted in 1925 were the same as in the previous year, while Alberta and Nova Scotia recorded decreases of 17 and 12 respectively. In addition to the total increases or decreases by provinces, attention may also be drawn to the larger number of decrees granted to husbands in Ontario and British Columbia, to wives in Saskatchewan, and to the smaller number granted to husbands in Nova Scotia and to wives in Alberta. (See Table 2).

The Sex of Applicants for Divorces.- It will be seen that, in the common division of divorce statistics into those granted to husbands and to wives, the 1925 figures indicate a change from the preceding year and a recurrence of the condition which has marked statistics of divorce in Canada as different from those of other countries - a preponderance of divorces granted to husbands rather than to wives. In 1922 and 1923, divorces granted to husbands in Canada formed respectively 58 and 53.5 p.c. of the total number granted. In 1924, this percentage dropped to 48.8 p.c. while in 1925 it formed 50.6 p.c. of the total number granted. The change in relative proportions in 1924 may be accounted for by the recent demand for equal rights for either sex in divorce proceedings. A comparison of Canadian divorce statistics with those of New Zealand and of the United States in this respect shows that the decrees granted in New Zealand are distributed fairly evenly between the sexes (although in 1924 the number granted to wives was 425 out of a total of 768 or 55.3 p.c.), while in the United States, since 1889, the proportion between decrees granted to husbands and to wives has been approximately 1 to 2 respectively.

(A possible indication of the grounds of petitions and decrees may be had from statistics of divorce in New Zealand, where a proportionately larger number of divorces were granted in 1924 to husbands on grounds of adultery, while a preponderance of decrees based on separation were granted to wives. The numbers of divorces granted on grounds of desertion form about 30 p.c. of the total numbers granted to each sex. In the United States, however, 49 p.c. of the divorces granted to wives are on grounds of cruelty, while 44 p.c. of those to husbands are on grounds of desertion. In the latter country, as in New Zealand, a correspondingly larger proportion of decrees are granted to husbands on grounds of adultery than to wives.)

Divorces Granted in United States to Persons Married in Canada.- A fact which throws considerable new light on the divorce situation in Canada is found in the Marriage and Divorce Bulletin of the United States Bureau of the Census. The statistics of this publication indicate the surprisingly large extent to which divorces are granted in that country to persons married in Canada. Thus, in 1922, no fewer than 1,368 divorce decrees were granted to couples married in Canada, a number more than $2\frac{1}{2}$ times as large as the total number granted in Canada in the same year. This number also formed 36.2 p.c. of the number of divorces granted in United States during the year to couples married in foreign countries, while, at the same time, the percentage of the Canadian-born population to the total foreign-born amounted to only 8.1 p.c. The Bulletin goes on to say, "It is possible that many Canadians acquire a residence in the United States for the sole purpose of obtaining divorce because in general, divorce laws are more liberal in the United States than in Canada". Of the 1,368 divorces granted to couples who had been married in Canada, no fewer than 462 were granted by the courts of the State of Michigan, while 135 were granted in the State of Washington and 128 in California.

May 12, 1925./KHH.

I. DIVORCES GRANTED IN CANADA, 1913 - 1925.

(Final Decrees).

Year	Ont.	Que.	Alta.	Sask.	Man.	Nova Scotia	New Brunswick	British Columbia	Total for Canada
1913	20	4	4	1	6	-	4	20	60
1914	18	7	4	2	2	10	12	15	70
1915	10	3	3	1	1	13	6	16	53
1916	18	1	1	2	2	14	11	18	67
1917	10	4	2	1	-	8	6	23	54
1918	10	2	2	1	-	24	10	65	114
1919	49	4	36	3	88	36	13	147	376
1920	91	9	65	26	42	45	15	136	429
1921	101	9	84	50	122	41	13	128	548
1922	90	6	129	37	97	35	12	138	544
1923	105	11	87	41	81	22	19	139	505
1924	114	13	118	28	77	42	15	136	543
1925	121	13	101	42	79	30	15	150	551

Note: In Prince Edward Island, only one divorce was granted between 1868 and 1925; this was granted in 1913.

II. DIVORCES GRANTED IN CANADA 1923 - 1925, BY PROVINCES AND SEX OF PLAINTIFF.

(Final Decrees).

Provinces	To Husbands			To Wives			Total		
	1923	1924	1925	1923	1924	1925	1923	1924	1925
Prince Edward Island	-	-	-	-	-	-	-	-	-
Nova Scotia	14	20	13	8	22	17	22	42	30
New Brunswick	10	7	9	9	8	6	19	15	15
Quebec	4	5	4	7	8	9	11	13	13
Ontario	45	49	61	60	65	60	105	114	121
Manitoba	49	35	36	32	42	43	81	77	79
Saskatchewan	25	22	27	16	6	15	41	28	42
Alberta	58	65	58	29	53	43	87	118	101
British Columbia	65	62	71	74	74	79	139	136	150
Canada.....	270	265	279	235	278	272	505	543	551

COMPARISONS WITH OTHER COUNTRIES.

In Table 3 are added comparative figures of divorces and marriages in England and Wales, Australia, New Zealand and Canada for the years 1916 to 1923 or 1924. The percentage of divorces to marriages, taking place in the same year, as here given, is seen in the case of England and Wales to have increased during these years from 0.35 p.c. to 0.77 p.c.; in Australia from 1.53 p.c. to 3.25 p.c.; in New Zealand from 2.41 p.c. to 5.17 p.c. and in Canada from 0.1 p.c. to 0.8 p.c. Similar figures for the United States, where, of course, the total number of divorces is unusually large owing to the comparative ease with which they may be obtained, show increases from 27,919 in 1887 to 42,937 in 1896, 72,062 in 1906, 112,036 in 1916, 148,815 in 1922 and 165,226 in 1923. The percentage of divorces to marriages increased from 10.8 to 13.5 during the years 1916 to 1923, divorces alone during this period increasing by 47 p.c. (In 1923 as in 1922, divorces granted to women in United States constituted 68 p.c. of the total granted.).

III. NUMBER OF MARRIAGES AND DIVORCES IN ENGLAND AND WALES, AUSTRALIA, NEW ZEALAND AND CANADA IN RECENT YEARS.

Year	England and Wales		Australia		New Zealand		Canada	
	No. of Marr- riages	No. of Divor- ces	No. of Marr- riages	No. of Div- orces	No. of Marr- riages	No. of Div- orces	No. of Marr- riages	No. of Div- orces
1916	279,846	990	40,289	617	8,213	198	65,000	1/ 67
1917	258,855	703	33,666	652	6,417	221	60,000	1/ 54
1918	287,163	1,111	33,141	697	6,227	203	55,000	1/ 114
1919	369,411	1,654	40,540	891	9,519	337	70,000	1/ 376
1920	379,658	3,090	51,552	1,069	12,175	471	80,931	429
1921	320,852	3,522	46,869	1,405	10,635	513	69,732	548
1922	299,524	2,588	44,731	1,270	9,556	523	64,420	544
1923	292,408	2,667	44,541	1,448	10,070	524	66,463	505
1924	296,416	2,286	45,869	-	10,259	530	68,000	1/ 543
1925	-	-	-	-	-	-	-	551

1/ Estimated.

JURISDICTION IN DIVORCE IN CANADA.

English Legislation-

It was not until 1857, when the Divorce and Matrimonial Causes Act was passed in England, that a right to divorce in that country was created. Divorce as we now understand it had formerly the significance of judicial separation. By this Act of 1857 the Court of Divorce and Matrimonial Causes was created and all jurisdiction in matrimonial matters, formerly exercised by the Ecclesiastical Courts, was transferred to it by the Act.

The divorce and Matrimonial Causes Act of 1857 had no force in the colonies of British North America before Confederation except in those colonies where such legislation had been enacted.

Canada.-

By Sec.91 of the British North America Act (26), the Dominion Parliament was granted jurisdiction over the matter of marriage and divorce, while by Sec.92 (12) Provincial Legislatures were empowered to legislate upon the solemnization of marriage in their respective provinces.

The Dominion Parliament, however, from 1867 until 1924, had passed no Act granting the right to obtain divorce nor had any court with jurisdiction in divorce matters been created in the Dominion or in any province by Dominion Legislation. (See accompanying synopsis of the Divorce Act, 1925). Matrimonial relief may, however, be obtained, and granted under authority of the B.N.A. Act, by petition to the Dominion Parliament through the Divorce Committee of the Senate.

Nova Scotia and New Brunswick.-

By Sec.129 of the B.N.A. Act, all laws in force in Canada, Nova Scotia and New Brunswick and all courts, etc. were to continue to exist in the provinces of Ontario, Quebec, Nova Scotia and New Brunswick after Confederation. The provinces of Nova Scotia and New Brunswick, therefore, having enacted legislation respecting divorce and possessing courts exercising jurisdiction over such matters before Confederation and having continued to exercise jurisdiction through courts of Divorce and Matrimonial Causes, are now in the same position as they were then. A court was established in Nova Scotia under C.126 of the Revised Statutes (third series) of Nova Scotia, 1864, as the Court of Marriage and Divorce, the name of which was changed by C.13 of the statutes of 1866 to the Court for Divorce and Matrimonial Causes. The Court of Divorce and Matrimonial Causes in New Brunswick was likewise set up by an Act passed in 1860 (an Act to amend the Law relating to Divorce and Matrimonial Causes). (See R.S., N.B., 1903, C.115).

Prince Edward Island.-

In Prince Edward Island a court having jurisdiction in divorce was constituted by an Act of 1835 (5 Wm.IV, C.10). This law has not been repealed since that time, but the power vested in the Governor and Executive Council has never been exercised. Persons living in Prince Edward Island, who are desirous of seeking dissolution of marriage, until the establishment of a court such as that provided for by the legislation of 1835, must do so by petition to the Dominion Parliament.

British Columbia.-

The colony of British Columbia acquired jurisdiction in matrimonial causes following a proclamation of the Governor giving force in the province to the civil and criminal law of England as

it existed on Nov.19, 1858. The province has continued to exercise jurisdiction over divorce through the courts established before Confederation. (See Rev.Statutes of B.C.,1924,C.75).

Manitoba.-

The divorce law of England, as it existed on July 15, 1870, was introduced into Manitoba by an Act of the Dominion Parliament, 51 Vict.,C.33. The court of King's Bench of Manitoba has the same jurisdiction in divorce as the courts have in England under the Divorce and Matrimonial Causes Act, 1857.

Alberta and Saskatchewan.-

The Dominion Parliament, by 49 Vict.C.25, enacted that the laws of England as existing on July 15, 1870 should be in force in the Northwest Territories. In 1918 the Appellate Division of the Supreme Court of Alberta held that the effect of the above Act and of legislation passed creating the province was to make the Divorce and Matrimonial Causes Act of 1857 and amendments up to July 15, 1870 apply to the province of Alberta. This decision was confirmed on appeal to the Imperial Privy Council. Subsequent judgments by the Saskatchewan Court of Appeal held that the English law as it existed on July 15, 1870 had force in the province and that the rights conferred under it might be enforced by the Court of King's Bench. The provinces of Alberta and Saskatchewan, therefore, are in the same position in the matter of jurisdiction over divorce.

Ontario and Quebec.-

In Ontario and Quebec it is considered that the courts have no jurisdiction to entertain an application for divorce and no attempt has been made in Ontario to establish such power. In Quebec the courts have assumed power, not to dissolve but, in some cases, to annul marriage or to entertain petitions for separation. The power to annul a marriage is exercised by the courts of Ontario in certain cases only (see 7 Edw.VII, C.23; R.S.O.1914,C.148; 9 Geo.V, C.35). Persons seeking divorce in Ontario and Quebec, therefore, (as well as in Prince Edward Island) must do so by petition to the Dominion Parliament.

THE DIVORCE ACT, 1925.

The Dominion Parliament by C.41 of the statutes of 1925, added a new and important provision to the Canadian law respecting divorce. The law in force until the passage of the Divorce Act, in so far as it concerned causes for divorce proceedings, has provided that, while a husband may obtain a divorce on grounds of adultery, it is necessary for a wife to prove both adultery and desertion. This anomaly has been removed, sed.2 of the Divorce Act stating "In any court having jurisdiction to grant divorce a vinculo matrimonii any wife may commence an action praying that her marriage may be dissolved on the ground that her husband has since the celebration thereof been guilty of adultery". The granting of a divorce in such cases, of course, is dependent on sufficient evidence that the wife has not been an accessory to or connived at such adultery or that the action is not prosecuted in collusion with the husband or the woman with whom he is alleged to have committed adultery. In addition "the court shall not be bound to pronounce such decree if it finds that the wife during the marriage has been guilty of adultery or.....of unreasonable delay or of cruelty towards the husband or of having deserted or wilfully separated herself from the husband before the adultery complained of and without reasonable excuse, or of such wilful neglect or misconduct as has conduced to the adultery".

Mar 9/27

84-D-70

DEPT. OF POLITICAL SCIENCE
UNIVERSITY OF TORONTO

C A N A D A
DEPARTMENT OF TRADE AND COMMERCE
DOMINION BUREAU OF STATISTICS
GENERAL STATISTICS BRANCH

DIVORCES IN CANADA

1926

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Published by authority of the Hon. James Malcolm, M. P.,
Minister of Trade and Commerce

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OTTAWA

1927

DOMINION BUREAU OF STATISTICS
GENERAL STATISTICS BRANCH
OTTAWA

Dominion Statistician, F.H.Coats, B.A., F.S.S. (Hon.) F.R.S.C.
Chief, General Statistics Branch, S.A.Cudmore, M.A., F.S.S.

DIVORCES IN CANADA, 1926.

(With supplementary notes on Jurisdiction in Divorce in Canada and on the Divorce Act of 1925).

Statistics of divorces, secured from the authorities of six provinces where divorces are granted by the courts and from the Dominion statutes for Ontario and Quebec, and compiled by the General Statistics Branch of the Dominion Bureau of Statistics, show an increase of 57 in the number of divorces granted in Canada during 1926 over the previous year. A total of 608 divorces were granted during the calendar year 1926, as compared with 551 during the calendar year 1925 - an increase of 10.3 p.c. The 1926 total is the largest number so far recorded in any one year.

The increase in divorces granted from 1916 to 1921 has been ascribed to the unsettling psychological effects of the war period and the long separations of men from their wives, combined with the new facilities for obtaining divorce, provided by a decision of the Judicial Committee of the Privy Council, which enabled the courts of Alberta and Saskatchewan to grant divorces. Decreases in the totals in 1922 and 1923 appeared to indicate a decline in divorces which might be ascribed to the war-time conditions, but the comparatively large increase in 1924, 1925 and 1926^{seven} years after the Armistice, must evidently be attributed to the greater ease with which decrees may now be obtained and, possibly, to a more lenient view of such proceedings on the part of the community. (See Jurisdiction in Divorce in Canada page 5).

The number of divorces granted during 1926, by provinces, (Table 1) was 167 in British Columbia, 113 in Ontario, 154 in Alberta, 85 in Manitoba, 48 in Saskatchewan, 19 in Nova Scotia, 12 in New Brunswick, 10 in Quebec and none in Prince Edward Island, where, indeed, only one divorce has been granted since Confederation.

The largest increases in divorces granted during the year were in Alberta and British Columbia, in which provinces the 1926 figures showed increases of 53 and 17 respectively. Manitoba and Saskatchewan each showed an increase of 6. Decreases were shown in all the eastern provinces, Nova Scotia, with 11, showing the largest drop, Ontario having 8 less, while New Brunswick and Quebec each showed a reduction of 3. In addition to the total increases or decreases by provinces, attention may also be drawn to the larger number of decrees granted to husbands in Manitoba, and to wives in Saskatchewan, Alberta and British Columbia, the increases in the two latter provinces being especially noteworthy. (See Table 2).

The Sex of Applicants for Divorces- Previous to 1924 Canada's divorce statistics differed from those of most other countries in that they showed that a majority of the divorces granted were at the petition of the husband. In 1924 wives obtained 51.2 p.c. of the decrees granted, but in 1925 husbands were again in a majority of the successful petitioners with 50.6 p.c. In 1926 wives received relief in 52 p.c. of the cases adjudged, this condition being possibly due to the passing of the Divorce Act, 1925, which removed certain anomalies which formerly operated to the prejudice of wives. A comparison of Canadian divorce statistics with those of New Zealand and the United States shows that of the decrees granted in the former country from 1922 to 1925, wives received 57.7, 56.6, 58.7 and 55.0 p.c. respectively, while figures for the latter country for the three year period from 1922 to 1924 show the decisions granted to wives as being 68.0, 67.8, and 68.5 p.c. of the total. In the United States the proportion of two divorces granted to wives to one granted to husbands has remained fairly constant since 1889.

(A possible indication of the grounds of petitions and decrees may be had from statistics of divorce in New Zealand, where a proportionately larger number of divorces were granted in 1925 to husbands on grounds of adultery, while a preponderance of decrees based on separation were granted to wives. The numbers of divorces granted on grounds of desertion form about 27 p.c. of the total numbers granted to husbands and 36 p.c. of those granted to wives. In the United States, however, 42 p.c. of the divorces granted to wives are on grounds of cruelty, while 46 p.c. of those to husbands are on grounds of desertion. In the latter country, as in New Zealand, a correspondingly larger proportion of decrees are granted to husbands on grounds of adultery than to wives.)

Divorces Granted in United States to Persons Married in Canada.- A fact which throws considerable new light on the divorce situation in Canada is found in the Marriage and Divorce Bulletin of the United States Bureau of the Census. The Statistics of this publication indicate the surprisingly large extent to which divorces are granted in that country to persons married in Canada. Thus, in 1922, no fewer than 1,368 divorce decrees were granted to couples married in Canada, a number more than 2½ times as large as the total number granted in Canada in the same year. This number also formed 36.2 p.c. of the number of divorces granted in United States during the year to couples married in foreign countries, while, at the same time, the percentage of the Canadian-born population to the total foreign-born amounted to only 8.1 p.c. The Bulletin goes on to say, "It is possible that many Canadians acquire a residence in the United States for the sole purpose of obtaining divorce because in general, divorce laws are more liberal in the United States than in Canada". Of the 1,368 divorces granted to couples who had been married in Canada, no fewer than 462 were granted by the courts of the State of Michigan, while 135 were granted in the State of Washington and 128 in California. No later figures than the above have been published in connection with the dissolution of marriages contracted outside the United States.

March 7, 1927-KHH.

1. DIVORCES GRANTED IN CANADA 1913 - 1926.

(Final Decrees)

Year	Ont.	Que.	Alta.	Sask.	Man.	Nova Scotia	New Brunswick	British Columbia	Total for Canada
1913	20	4	4	1	6	-	4	20	60
1914	18	7	4	2	2	10	12	15	70
1915	10	3	3	1	1	13	6	16	53
1916	18	1	1	2	2	14	11	18	67
1917	10	4	2	1	-	8	6	23	54
1918	10	2	2	1	-	24	10	65	114
1919	49	4	36	3	88	36	13	147	376
1920	91	9	65	26	42	45	15	136	429
1921	101	9	84	50	122	41	13	128	548
1922	90	6	129	37	97	35	12	138	544
1923	105	11	87	41	81	22	19	139	505
1924	114	13	118	28	77	42	15	136	543
1925	121	13	101	42	79	30	15	150	551
1926	113	10	154	48	85	19	12	167	608

Note:- In Prince Edward Island, only one divorce was granted between 1868 and 1926; this was granted in 1913.

II. DIVORCES GRANTED IN CANADA 1924 - 1926. BY PROVINCES AND SEX OF PLAINTIFF.

(Final Decrees)

Provinces	To Husbands			To Wives:			Total		
	1924	1925	1926	1924	1925	1926	1924	1925	1926
Prince Edward Is.	-	-	-	-	-	-	-	-	-
Nova Scotia	20	13	6	22	17	13	42	30	19
New Brunswick	7	9	5	8	6	7	15	15	12
Quebec	5	4	2	8	9	8	13	13	10
Ontario	49	61	54	65	60	69	114	121	113
Manitoba	35	36	44	42	43	41	77	79	85
Saskatchewan	22	27	27	6	15	21	28	42	48
Alberta	65	58	79	53	43	75	118	101	154
British Columbia	62	71	75	74	79	92	136	150	167
Canada.....	265	279	292	278	272	316	543	551	608

COMPARISONS WITH OTHER COUNTRIES.

In Table 3 are added comparative figures of divorces and marriages in England and Wales, Australia, New Zealand and Canada for the years 1916 to 1923, 1924 or 1925. The percentage of divorces to marriages, taking place in the same year, as here given, is seen in the case of England and Wales to have increased during those years from 0.35 p.c. to 0.88 p.c.; in Australia from 1.53 p.c. to 3.25 p.c.; in New Zealand from 2.41 p.c. to 5.91 p.c. and in Canada from 0.1 p.c. to 0.9 p.c. Similar figures for the United States, where, of course, the total number of divorces is unusually large owing to the comparative ease with which they may be obtained, show increases from 27,919 in 1887 to 42,937 in 1896, 72,062 in 1906, 112,036 in 1916, 148,815 in 1922, 165,096 in 1923, 170,952 in 1924 and 175,495 in 1925. The percentage of divorces to marriages increased from 10.8 to 14.8 during the years 1916 to 1925, divorces alone during this period increasing by 56.7 p.c. (In 1924 divorces granted to women in United States constituted 68.5 p.c. of the total granted, as compared with 67.8 in 1923).

III. NUMBER OF MARRIAGES AND DIVORCES IN ENGLAND AND WALES, AUSTRALIA, NEW ZEALAND AND CANADA IN RECENT YEARS.

Year	England and Wales		Australia		New Zealand		Canada	
	No. of Marr- riages	No. of Divor- ces	No. of Marr- riages	No. of Divor- ces	No. of Marr- riages	No. of Divor- ces	No. of Marr- riages	No. of Divor- ces
1916	279,846	990	40,289	617	8,213	198	65,000	1/ 67
1917	258,855	703	33,666	652	6,417	221	60,000	1/ 54
1918	287,163	1,111	33,141	697	6,227	203	55,000	1/ 114
1919	369,411	1,654	40,540	891	9,519	337	70,000	1/ 376
1920	379,658	3,090	51,552	1,069	12,175	471	80,931	429
1921	320,852	3,522	46,869	1,405	10,635	513	69,732	548
1922	299,524	2,588	44,731	1,270	9,556	523	64,420	544
1923	292,408	2,667	44,541	1,448	10,070	524	66,463	505
1924	296,416	2,286	45,869	-	10,259	530	65,129	543
1925	295,689	2,605	46,899	-	10,419	612	64,644	551
1926	-	-	-	-	-	-	-	608

1/ Estimated.

JURISDICTION IN DIVORCE IN CANADA.

English Legislation.-

It was not until 1857, when the Divorce and Matrimonial Causes Act was passed in England, that a right to divorce in that country was created. Divorce as we now understand it had formerly the significance of judicial separation. By this Act of 1857 the Court of Divorce and Matrimonial Causes was created and all jurisdiction in matrimonial matters, formerly exercised by the Ecclesiastical Courts, was transferred to it by the Act.

The Divorce and Matrimonial Causes Act of 1857 had no force in the colonies of British North America before Confederation except in those colonies where such legislation had been enacted.

Canada.-

By Sec.91 of the British North America Act (26), the Dominion Parliament was granted jurisdiction over the matter of marriage and divorce, while by Sec.92 (12) Provincial Legislatures were empowered to legislate upon the solemnization of marriage in their respective provinces.

The Dominion Parliament, however, from 1867 until 1924, had passed no Act granting the right to obtain divorce nor had any court with jurisdiction in divorce matters been created in the Dominion or in any province by Dominion Legislation. Matrimonial relief may, however, be obtained, and granted under authority of the B.N.A. Act, by petition to the Dominion Parliament through the Divorce Committee of the Senate.

The Dominion Parliament by C.41 of the Statutes of 1925, added a new and important provision to the Canadian law respecting divorce. The law in force until the passage of the Divorce Act, in so far as it concerned causes for divorce proceedings, has provided that, while a husband may obtain a divorce on grounds of adultery, it is necessary for a wife to prove both adultery and desertion. This anomaly has been removed, sec.2 of the Divorce Act stating "In any court having jurisdiction to grant divorce a vinculo matrimonii any wife may commence an action praying that her marriage may be dissolved on the ground that her husband has since the celebration thereof been guilty of adultery". The granting of a divorce in such cases, of course, is dependent on sufficient evidence that the wife has not been an accessory to or connived at such adultery or that the action is not prosecuted in collusion with the husband or the woman with whom he is alleged to have committed adultery. In addition "the court shall not be bound to pronounce such decree if it finds that the wife during the marriage has been guilty of adultery or.....of unreasonable delay or of cruelty towards the husband or of having deserted or wilfully separated herself from the husband before the adultery complained of and without reasonable excuse, or of such wilful neglect or misconduct as has conduced to the adultery".

Nova Scotia and New Brunswick.-

By Sec.129 of the B.N.A. Act, all laws in force in Canada, Nova Scotia and New Brunswick and all courts, etc. were to continue to exist in the provinces of Ontario, Quebec, Nova Scotia and New Brunswick after Confederation. The provinces of Nova Scotia and New Brunswick, therefore, having enacted legislation respecting divorce and possessing courts exercising jurisdiction over such matters before Confederation and having continued to exercise

jurisdiction through courts of Divorce and Matrimonial Causes, are now in the same position as they were then. A court was established in Nova Scotia under C.126 of the Revised Statutes (third series) of Nova Scotia, 1864, as the Court of Marriage and Divorce, the name of which was changed by C.13 of the statutes of 1866 to the Court for Divorce and Matrimonial Causes. The Court of Divorce and Matrimonial Causes in New Brunswick was likewise set up by an Act passed in 1860 (an Act to amend the Law relating to Divorce and Matrimonial Causes) (See R.S., N.B., 1903, C.115).

Prince Edward Island.

In Prince Edward Island a court having jurisdiction in divorce was constituted by an Act of 1835 (5 Wm.IV, C.10). This law has not been repealed since that time, but the power vested in the Governor and Executive Council has never been exercised. Persons living in Prince Edward Island, who are desirous of seeking dissolution of marriage, until the establishment of a court such as that provided for by the legislation of 1835, must do so by petition to the Dominion Parliament.

British Columbia.

The colony of British Columbia acquired jurisdiction in matrimonial causes following a proclamation of the Governor giving force in the province to the civil and criminal law of England as it existed on Nov. 19, 1858. The province has continued to exercise jurisdiction over divorce through the courts established before Confederation. (See Rev. Statutes of B.C., 1924, C.75).

Manitoba.

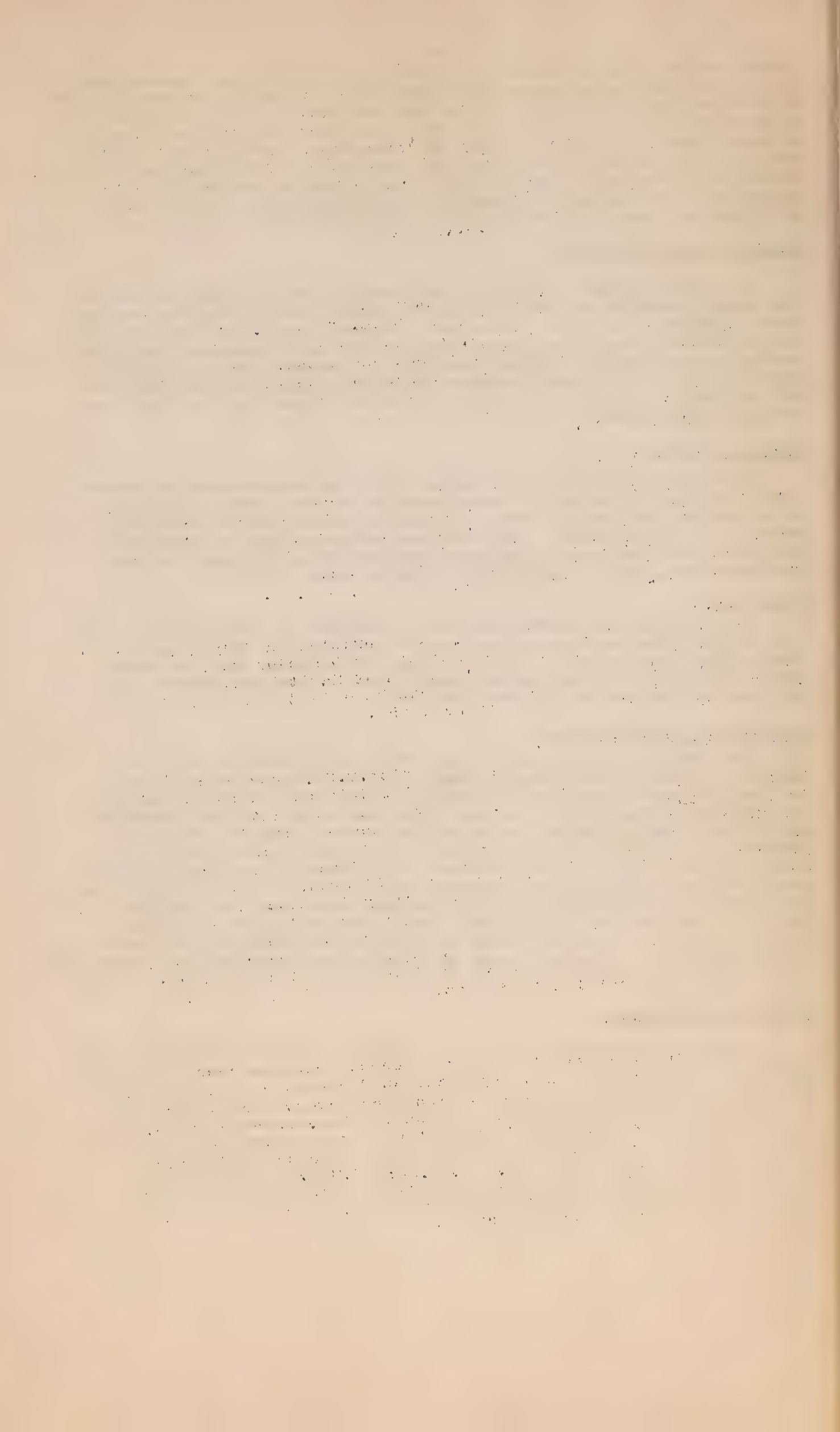
The divorce law of England, as it existed on July 15, 1870, was introduced into Manitoba by an Act of the Dominion Parliament, 51 Vict., C.33. The court of King's Bench of Manitoba has the same jurisdiction in divorce as the courts have in England under the Divorce and Matrimonial Causes Act, 1857.

Alberta and Saskatchewan.

The Dominion Parliament, by 49 Vict. C.25, enacted that the laws of England as existing on July 15, 1870 should be in force in the Northwest Territories. In 1918 the Appellate Division of the Supreme Court of Alberta held that the effect of the above Act and of legislation passed creating the province was to make the Divorce and Matrimonial Causes Act of 1857 and amendments up to July 15, 1870 apply to the province of Alberta. This decision was confirmed on appeal to the Imperial Privy Council. Subsequent judgments by the Saskatchewan Court of Appeal held that the English law as it existed on July 15, 1870 had force in the province and that the rights conferred under it might be enforced by the Court of King's Bench. The provinces of Alberta and Saskatchewan, therefore, are in the same position in the matter of jurisdiction over divorce.

Ontario and Quebec.

In Ontario and Quebec it is considered that the courts have no jurisdiction to entertain an application for divorce and no attempt has been made in Ontario to establish such power. In Quebec the courts have assumed power, not to dissolve but, in some cases, to annul marriage or to entertain petitions for separation. The power to annul a marriage is exercised by the courts of Ontario in certain cases only (see 7 Edw.VII, c.23; R.S.O. 1914, C.148; 9 Geo.V, C.35). Persons seeking divorce in Ontario and Quebec, therefore, (as well as in Prince Edward Island) must do so by petition to the Dominion Parliament.



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DIVORCES IN CANADA

1927

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Published by authority of the Hon. James Malcolm, M. P.,
Minister of Trade and Commerce

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DOMINION BUREAU OF STATISTICS
GENERAL STATISTICS BRANCH
OTTAWA

Dominion Statistician: R.H. Coats, B.A., F.S.S. (Hon.), F. R. S. C.
Chief, General Statistics Branch: S.A. Cudmore, M.A., F.S.S.

DIVORCES IN CANADA, 1927

(With supplementary notes on Jurisdiction in Divorce in Canada and on the Divorce Act of 1925.)

Statistics of divorces, secured from the authorities of six provinces where divorces are granted by the courts and from the Dominion statutes for Ontario and Quebec, and compiled by the General Statistics Branch of the Dominion Bureau of Statistics, show an increase of 140 in the number of divorces granted in Canada during 1927 over the previous year. A total of 748 divorces was granted during the calendar year 1927, as compared with 608 during the calendar year 1926 - an increase of 23.0 p.c. The 1927 total is the largest number so far recorded in any one year.

The increase in divorces granted from 1916 to 1921 has been ascribed to the unsettling psychological effects of the war period and the long separations of men from their wives, combined with the new facilities for obtaining divorce, provided by a decision of the Judicial Committee of the Privy Council, which enabled the courts of Alberta and Saskatchewan to grant divorces. Decreases in the totals in 1922 and 1923 appeared to indicate a decline which might be ascribed to the passage of war-time conditions, but the comparatively large increases in 1924, 1925, 1926 and 1927, eight years after the Armistice, must evidently be attributed to the greater ease with which decrees may now be obtained and, possibly, to a more lenient view of such proceedings on the part of the community. (See Jurisdiction in Divorce in Canada page 5.)

The number of divorces granted during 1927, by provinces, (Table 1) was 197 in British Columbia, 182 in Ontario, 148 in Alberta, 102 in Manitoba, 60 in Saskatchewan, 29 in Nova Scotia, 17 in New Brunswick, 13 in Quebec and none in Prince Edward Island, where, indeed only one divorce has been granted since Confederation.

The largest increases in divorces granted during the year were in Ontario and British Columbia, in which provinces the 1927 figures showed increases of 69 and 30 respectively. Increases were also shown in all other provinces except Alberta, Manitoba showing an increase of 17, Saskatchewan 12, Nova Scotia 10, New Brunswick 5 and Quebec 3. A decrease of 6 took place in Alberta.

The Sex of Applicants for Divorces.— Previous to 1924 Canada's divorce statistics differed from those of most other countries in that they showed that a majority of the divorces granted were at the petition of the husband. In 1924 wives obtained 51.2 p.c. of the decrees granted, but in 1925 husbands were again in a majority of the successful petitioners with 50.6 p.c. In 1926 wives received relief in 52 p.c. of the cases adjudged, this condition being possibly due to the passing of the Divorce Act, 1925, which removed certain anomalies which formerly operated to the prejudice of wives.^{1/} A comparison of Canadian divorce statistics with those of New Zealand and the United States shows that of the decrees granted in the former country from 1922 to 1925, wives received 57.7, 56.6, 58.7 and 55.9 p.c. respectively, while figures for the latter country for the four year period from 1922 to 1925 show the decisions granted to wives as being 68.0, 67.8, 68.5 and 69.9 p.c. of the total respectively. In the United States the proportion of two divorces granted to wives to one granted to husbands has remained fairly constant since 1889.

1/ In 1927 wives obtained 52.6 p.c. of the decrees granted.

(A possible indication of the grounds of petitions and decrees may be had from statistics of divorce in New Zealand, where a proportionately larger number of divorces were granted in 1925 to husbands on grounds of adultery, while a preponderance of decrees based on separation were granted to wives. The numbers of divorces granted on grounds of desertion form about 27 p.c. of the total numbers granted to husbands and 36 p.c. of those granted to wives. In the United States, however, 42 p.c. of the divorces granted to wives are on grounds of cruelty, while 46 p.c. of those granted to husbands are on the ground of desertion. In the latter country, as in New Zealand, a correspondingly larger proportion of decrees are granted to husbands on grounds of adultery than to wives.

Divorces Granted in United States to Persons Married in Canada.- A fact which throws considerable new light on the divorce situation in Canada is found in the Marriage and Divorce Bulletin of the United States Bureau of the Census. The statistics of this publication indicate the surprisingly large extent to which divorces are granted in that country to persons married in Canada. Thus, in 1922, no fewer than 1,368 divorce decrees were granted to couples married in Canada, a number more than $2\frac{1}{2}$ times as large as the total number granted in Canada in the same year. This number also formed 36.2 p.c. of the number of divorces granted in United States during the year to couples married in foreign countries, while, at the same time the percentage of the Canadian-born population to the total foreign-born amounted to only 8.1 p.c. The Bulletin goes on to say, "It is possible that many Canadians acquire a residence in the United States for the sole purpose of obtaining divorce because, in general, divorce laws are more liberal in the United States than in Canada." Of the 1,368 divorces granted in 1922 to couples who had been married in Canada, no fewer than 462 were granted by the courts of the State of Michigan, while 135 were granted in the State of Washington and 128 in California. No later figures than the above have been published in connection with the dissolution of marriages contracted outside the United States.

March 7, 1928 - DAK.

-3-

1. DIVORCES GRANTED IN CANADA 1913 - 1927

(Final Decrees)

Year	Ont.	Que.	Alta.	Sask.	Man.	Nova Scotia	New Brunsw- wick	British Colum- bis	Total for Canada
1913	20	4	4	1	6	-	4	20	60
1914	18	7	4	2	2	10	12	15	70
1915	10	3	3	1	1	13	6	16	53
1916	18	1	1	2	2	14	11	18	67
1917	10	4	2	1	-	8	6	23	54
1918	10	2	2	1	-	24	10	65	114
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1920	91	9	65	26	42	45	15	136	429
1921	101	9	84	50	122	41	13	128	548
1922	90	6	129	37	97	35	12	138	544
1923	105	11	87	41	81	22	19	139	505
1924	114	13	118	28	77	42	15	136	543
1925	121	13	101	42	79	30	15	150	551
1926	113	10	154	48	85	19	12	167	608
1927	182	13	148	60	102	29	17	197	748

Note - In Prince Edward Island, only one divorce was granted between 1868 and 1925:
this was granted in 1913.

11. DIVORCES GRANTED IN CANADA, 1925 - 1927 BY
PROVINCES AND SEX OF PLAINTIFF

(Final Decrees)

Provinces	To Husbands:			To Wives:			Total:		
	1925	1926	1927	1925	1926	1927	1925	1926	1927
Prince Edward Is.	-	-	-	-	-	-	-	-	-
Nova Scotia	13	6	14	17	13	15	30	19	29
New Brunswick	9	5	11	6	7	6	15	12	17
Quebec	4	2	7	9	8	6	13	10	13
Ontario	61	54	64	60	69	118	121	113	182
Manitoba	36	44	46	43	41	56	79	85	102
Saskatchewan	27	27	40	15	21	20	42	48	60
Alberta	58	79	82	43	75	66	101	154	148
British Columbia	71	75	91	79	92	106	150	167	197
Canada	279	292	355	272	316	393	551	608	748

COMPARISONS WITH OTHER COUNTRIES

In Table 3 are added comparative figures of divorces and marriages in England and Wales, Australia, New Zealand and Canada for the years 1916 and subsequently. The percentage of divorces to marriages taking place in the same year, as here given, is seen in the case of England and Wales to have increased during those years from 0.35 p.c. to 0.94 p.c.; in Australia from 1.53 p.c. to 3.36 p.c.; in New Zealand from 2.41 p.c. to 5.75 p.c. and in Canada from 0.1 p.c. to 0.9 p.c. Similar figures for the United States, where, of course, the total number of divorces is unusually large owing to the comparative ease with which they may be obtained, show increases from 27,919 in 1897 to 42,957 in 1896, 72,062 in 1906, 112,036 in 1916, 148,815 in 1922, 165,096 in 1923, 170,952 in 1924, 175,449 in 1925 and 180,853 in 1926. The percentage of divorces to marriages increased from 10.8 to 14.8 during the years 1916 to 1925, divorces during this period increasing by 56.7 p.c. (In 1925 divorces granted to women in the United States constituted 69.9 p.c. of the total granted, as compared with 68.5 p.c. in 1924.

111. NUMBER OF MARRIAGES AND DIVORCES IN ENGLAND AND WALES,
AUSTRALIA, NEW ZEALAND AND CANADA IN RECENT YEARS.

Year	England and Wales		Australia		New Zealand		Canada	
	No. of Marr- riages	No. of Divor- ces	No. of Marr- riages	No. of Divor- ces	No. of Marr- riages	No. of Divor- ces	No. of Marr- riages	No. of Divor- ces
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1924	296,416	2,286	45,869	1,544	10,259	530	65,129	543
1925	295,689	2,605	46,899	-	10,419	612	64,644	551
1926	279,860	2,622	47,867	-	10,680	614	66,570	608
1927	-	-	-	-	-	-	-	748

^{1/}Estimated.

JURISDICTION IN DIVORCE IN CANADA.

English Legislation.-

It was not until 1857, when the Divorce and Matrimonial Causes Act was passed in England, that a right to divorce in that country was created. Divorce as we now understand it had formerly the significance of judicial separation. By this Act of 1857 the Court of Divorce and Matrimonial Causes was created and all jurisdiction in matrimonial matters, formerly exercised by the Ecclesiastical Courts, was transferred to it by the Act.

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The Dominion Parliament, however, from 1867 until 1924, had passed no Act granting the right to obtain divorce nor had any court with jurisdiction in divorce matters been created in the Dominion or in any province by Dominion Legislation. Matrimonial relief may, however, be obtained, and granted under authority of the B.N.A. Act, by petition to the Dominion Parliament through the Divorce Committee of the Senate.

The Dominion Parliament by C.41 of the Statutes of 1925, added a new and important provision to the Canadian law respecting divorce. The law in force until the passage of the Divorce Act, in so far as it concerned causes for divorce proceedings, has provided that, while a husband may obtain a divorce on grounds of adultery, it is necessary for a wife to prove both adultery and desertion. This anomaly has been removed, sec.2 of the Divorce Act stating "In any court having jurisdiction to grant divorce a vinculo matrimonii any wife may commence an action praying that her marriage may be dissolved on the ground that her husband has since the celebration thereof been guilty of adultery". The granting of a divorce in such cases, of course, is dependent on sufficient evidence that the wife has not been an accessory to or connived at such adultery or that the action is not prosecuted in collusion with the husband or the woman with whom he is alleged to have committed adultery. In addition "the court shall not be bound to pronounce such decree if it finds that the wife during the marriage has been guilty of adultery or.....of unreasonable delay or of cruelty towards the husband or of having deserted or wilfully separated herself from the husband before the adultery complained of and without reasonable excuse, or of such wilful neglect or misconduct as has conduced to the adultery".

Nova Scotia and New Brunswick.-

By Sec.129 of the B.N.A. Act, all laws in force in Canada, Nova Scotia and New Brunswick and all courts, etc. were to continue to exist in the provinces of Ontario, Quebec, Nova Scotia and New Brunswick after Confederation. The provinces of Nova Scotia and New Brunswick, therefore, having enacted legislation respecting divorce and possessing courts exercising jurisdiction over such matters before Confederation and having continued to exercise jurisdiction through courts of Divorce and Matrimonial Causes, are now in the same position as they were then. A court was established in Nova Scotia under C.126 of the Revised Statutes (third series) of Nova Scotia, 1864, as the Court of Marriage and Divorce, the name of which was changed by C.13 of the statutes of 1866 to the Court for Divorce and Matrimonial Causes. The Court of Divorce and Matrimonial Causes in New Brunswick was likewise set up by an Act passed in 1860 (an Act to amend the Law relating to Divorce and Matrimonial Causes). (Sec. R.S., N.B., 1903, C. 115).

Prince Edward Island.-

In Prince Edward Island a court having jurisdiction in divorce was constituted by an Act of 1835 (5 Wm. IV C.10). This law has not been repealed since that time, but the power vested in the Governor and Executive Council to establish a divorce court has never been exercised. Persons living in Prince Edward Island, who are desirous of seeking dissolution of marriage, must do so by petition to the Dominion Parliament.

British Columbia.-

The colony of British Columbia acquired jurisdiction in matrimonial causes following a proclamation of the Governor giving force in the province to the civil and criminal law of England as it existed on Nov.19, 1858. The province has continued to exercise jurisdiction over divorce through the courts established before Confederation. (See Rev. Statutes of B.C., 1924, C.75).

Manitoba.-

The divorce law of England, as it existed on July 15, 1870, was introduced into Manitoba by an Act of the Dominion Parliament, 51 Vict., C.33. The court of King's Bench of Manitoba has the same jurisdiction in divorce as the courts have in England under the Divorce and Matrimonial Causes Act, 1857.

Alberta and Saskatchewan.-

The Dominion Parliament, by 49 Vict. C. 25, enacted that the laws of England as existing on July 15, 1870 should be in force in the Northwest Territories. In 1918 the Appellate Division of the Supreme Court of Alberta held that the effect of the above Act and of legislation passed creating the province was to make the Divorce and Matrimonial Causes Act of 1857 and amendments up to July 15, 1870 apply to the province of Alberta. This decision was confirmed on appeal to the Imperial Privy Council. Subsequent judgments by the Saskatchewan Court of Appeal held that the English law as it existed on July 15, 1870 had force in the province and that the rights conferred under it might be enforced by the Court of King's Bench. The provinces of Alberta and Saskatchewan, therefore, are in the same position in the matter of jurisdiction over divorce.

Ontario and Quebec.-

In Ontario and Quebec it is considered that the courts have no jurisdiction to entertain an application for divorce and no attempt has been made in Ontario to establish such power. In Quebec the courts have assumed power, not to dissolve but, in some cases, to annul marriage or to entertain petitions for separation. The power to annul a marriage is exercised by the courts of Ontario in certain cases only (see 7 Edw.VII. c.23; R.S.O. 1914, C.148; 9 Geo.V, C.35). Persons seeking divorce in Ontario and Quebec, (as well as in Prince Edward Island) must do so by petition to the Dominion Parliament.

84-D-70

C A N A D A

DEPARTMENT OF TRADE AND COMMERCE

DOMINION BUREAU OF STATISTICS

GENERAL STATISTICS BRANCH

DIVORCES IN CANADA

1928

+ + +

Published by Authority of the Hon. James Malcolm, M.P.,
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OTTAWA

1929

DOMINION BUREAU OF STATISTICS
GENERAL STATISTICS BRANCH
OTTAWA

Dominion Statistician: R. H. Coats, B.A., F.S.S. (Hon.), F.R.S.C.
Chief, General Statistics Branch: S. A. Cudmore, M.A., F.S.S.

DIVORCES IN CANADA, 1928

(With Supplementary notes on Jurisdiction in Divorce in Canada and on the Divorce Act of 1925.)

Statistics of divorces, secured from the authorities of six provinces where divorces are granted by the courts and from the Dominion statutes for Ontario and Quebec, and compiled by the General Statistics Branch of the Dominion Bureau of Statistics, show an increase of 37 in the number of divorces granted in Canada during 1928 over the previous year. A total of 785 divorces was granted during the calendar year 1928, as compared with 748 during the calendar year 1927 - an increase of 4.9 p.c. The 1928 total is the largest number so far recorded in any one year.

The increase in divorces granted from 1916 to 1921 has been ascribed to the unsettling psychological effects of the war period and the long separations of men from their wives, combined with the new facilities for obtaining divorce provided by a decision of the Judicial Committee of the Privy Council, which enabled the courts of Alberta and Saskatchewan to grant divorces. Decreases in the totals in 1922 and 1923 appeared to indicate a decline which might be ascribed to the passage of war-time conditions, but the comparatively large increases in 1924, 1925, 1926, 1927 and 1928, ten years after the Armistice, must evidently be attributed to the greater ease with which decrees may now be obtained and, possibly, to a more lenient view of such proceedings on the part of the community. (See Jurisdiction in Divorce in Canada, page 5.)

The number of divorces granted during 1928, by provinces, (Table 1) was 213 in Ontario, 203 in British Columbia, 168 in Alberta, 79 in Manitoba, 55 in Saskatchewan, 28 in Nova Scotia, 25 in Quebec, 14 in New Brunswick and none in Prince Edward Island, where, indeed, only one divorce has been granted since Confederation.

The largest increases in divorces granted during the year were in Ontario and Alberta, in which provinces the 1928 figures showed increases of 31 and 20 respectively. Quebec registered an increase of 12 and British Columbia showed 6 more than in 1927, while the other four provinces showed decreases as follows: Manitoba 23, Saskatchewan 5, New Brunswick 3, and Nova Scotia 1.

The Sex of Applicants for Divorces.- Previous to 1924 Canada's divorce statistics differed from those of most other countries in that they showed that a majority of the divorces granted were at the petition of the husband. In 1924 wives obtained 51.2 p.c. of the decrees granted, but in 1925 husbands were again in the majority of the successful petitioners with 50.6 p.c. In 1926 wives received relief in 52 p.c. of the cases adjudged, in 1927 52.6 p.c. and in 1928 52.0 p.c., this condition being possibly due to the passing of the Divorce Act, 1925, which removed certain anomalies which formerly operated to the prejudice of wives. A comparison of Canadian divorce statistics with those of New Zealand and the United States shows that of the decrees granted in the former country from 1922 to 1926, wives received 57.7, 56.6, 58.7, 55.0 and 61.4 p.c. respectively, while figures for the latter country for the five year period from 1922 to 1926 show the decisions granted to wives as being 68.0, 67.8, 68.5, 69.9 and 70.5 p.c. of the total respectively. In the United States the proportion of two divorces granted to wives to one granted to husbands has remained fairly constant since 1889.

A possible indication of the grounds of petitions and decrees may be had from statistics of divorce in New Zealand, where a proportionately larger number of divorces were granted in 1926 to husbands on grounds of adultery, while a preponderance of decrees based on separation were granted to wives. The numbers of divorces granted on grounds of desertion form about 30 p.c. of the total numbers granted to husbands and 36 p.c. of those granted to wives. In the United States, however, 43 p.c. of the divorces granted to wives are on grounds of cruelty, while 46 p.c. of those granted to husbands are on the ground of desertion. In the latter country, as in New Zealand, a correspondingly larger proportion of decrees are granted to husbands on grounds of adultery than to wives.

Divorces Granted in United States to Persons Married in Canada.-

A fact which throws considerable new light on the divorce situation in Canada is found in the Marriage and Divorce Bulletin of the United States Bureau of the Census. The statistics of this publication indicate the surprisingly large extent to which divorces are granted in that country to persons married in Canada. Thus, in 1922, no fewer than 1,368 divorce decrees were granted to couples married in Canada, a number more than $2\frac{1}{2}$ times as large as the total number granted in Canada in the same year. This number also formed 36.2 p.c. of the number of divorces granted in United States during the year to couples married in foreign countries, while, at the same time the percentage of the Canadian-born population to the total foreign-born amounted to only 8.1 p.c. The Bulletin goes on to say, "It is possible that many Canadians acquire a residence in the United States for the sole purpose of obtaining divorce because, in general, divorce laws are more liberal in the United States than in Canada." Of the 1,368 divorces granted in 1922 to couples who had been married in Canada, no fewer than 462 were granted by the courts of the State of Michigan, while 135 were granted by the courts of the State of Washington and 128 in California. No later figures than the above have been published in connection with the dissolution of marriages contracted outside the United States.

1. DIVORCES GRANTED IN CANADA 1913 - 1928

(Final Decrees)

Year	Ont.	Que.	Alta.	Sask.	Man.	Nova Scotia	New Brunsw- wick	British Col- umbia	Total for Canada
1913	20	4	4	1	6	-	4	20	60
1914	18	7	4	2	2	10	12	15	70
1915	10	3	3	1	1	13	6	16	53
1916	18	1	1	2	2	14	11	18	67
1917	10	4	2	1	-	8	6	23	54
1918	10	2	2	1	-	24	10	65	114
1919	49	4	36	3	88	36	13	147	376
1920	91	9	65	26	42	45	15	136	429
1921	101	9	84	50	122	41	13	128	548
1922	90	6	129	37	97	35	12	138	544
1923	105	11	87	41	81	22	19	139	505
1924	114	13	118	28	77	42	15	136	543
1925	121	13	101	42	79	30	15	150	551
1926	113	10	154	48	85	19	12	167	608
1927	182	13	148	60	102	29	17	197	748
1928	213	25	168	55	79	28	14	203	785

Note - In Prince Edward Island, only one divorce was granted between 1868 and 1928.
This was granted in 1913.

2. DIVORCES GRANTED IN CANADA, 1926 - 1928 BY
PROVINCES AND SEX OF PLAINTIFF

(Final Decrees)

Provinces	To Husbands:			To Wives:			Total:		
	1926	1927	1928	1926	1927	1928	1926	1927	1928
Prince Edward Is.	-	-	-	-	-	-	-	-	-
Nova Scotia	6	14	16	13	15	12	19	29	28
New Brunswick	5	11	6	7	6	8	12	17	14
Quebec	2	7	7	8	6	18	10	13	25
Ontario	54	64	87	69	118	126	113	182	213
Manitoba	44	46	44	41	56	35	85	102	79
Saskatchewan	27	40	27	21	20	28	48	60	55
Alberta	79	82	90	75	66	78	154	148	168
British Columbia	75	91	100	92	106	103	167	197	203
Canada	292	355	377	316	393	408	608	748	785

COMPARISONS WITH OTHER COUNTRIES

In Table 3 are added comparative figures of divorces and marriages in England and Wales, Australia, New Zealand and Canada for the years 1916 and subsequently. The percentage of divorces to marriages taking place in the same year, as here given, is seen in the case of England and Wales to have increased during those years from 0.35 p.c. to 1.03 p.c.; in Australia from 1.53 p.c. to 3.99 p.c.; in New Zealand from 2.41 p.c. to 5.75 p.c. and in Canada from 0.1 p.c. to 1.08 p.c. Similar figures for the United States, where, of course, the total number of divorces is unusually large owing to the comparative ease with which they may be obtained, show increases from 27,919 in 1887 to 42,937 in 1896, 72,062 in 1906, 112,036 in 1916, 148,815 in 1922, 165,096 in 1923, 170,952 in 1924, 175,449 in 1925, 180,853 in 1926 and about 192,000 in 1927. The percentage of divorces to marriages increased from 10.6 to 15.0 during the years 1916 to 1926, divorces during this period increasing by 58.6 p.c. (In 1926 divorces granted to women in the United States constituted 70.5 p.c. of the total granted, as compared with 69.9 p.c. in 1925.)

3. NUMBER OF MARRIAGES AND DIVORCES IN ENGLAND AND WALES,
AUSTRALIA, NEW ZEALAND AND CANADA IN RECENT YEARS

Year	England and Wales		Australia		New Zealand		Canada	
	No. of Marr- riages	No. of Divor- ces	No. of Marr- riages	No. of Divor- ces	No. of Marr- riages	No. of Divor- ces	No. of Marr- riages	No. of Divor- ces
1916	279,846	990	40,289	617	8,213	198	65,000 ^{1/}	67
1917	258,855	703	33,666	652	6,417	221	60,000 ^{1/}	54
1918	287,163	1,111	33,141	697	6,227	203	55,000 ^{1/}	114
1919	369,411	1,654	40,540	891	9,519	337	70,000 ^{1/}	376
1920	379,658	3,090	51,552	1,168	12,175	471	80,931	429
1921	320,852	3,522	46,869	1,502	10,635	513	69,732	548
1922	299,524	2,588	44,731	1,338	9,556	523	64,420	544
1923	292,408	2,667	44,541	1,480	10,070	524	66,463	505
1924	296,416	2,286	45,869	1,544	10,259	530	65,129	543
1925	295,689	2,605	46,899	1,870	10,419	612	64,644	551
1926	279,860	2,622	47,865	-	10,680	614	66,558	608
1927	308,370	3,190	-	-	-	-	69,465	748
1928	-	-	-	-	-	-	-	785

^{1/} Estimated.

JURISDICTION IN DIVORCE IN CANADA

English Legislation.-

It was not until 1857, when the Divorce and Matrimonial Causes Act was passed in England, that a right to divorce in that country was created. Divorce as we now understand it had formerly the significance of judicial separation. By this Act of 1857 the Court of Divorce and Matrimonial Causes was created and all jurisdiction in matrimonial matters, formerly exercised by the Ecclesiastical Courts, was transferred to it by the Act.

The Divorce and Matrimonial Causes Act of 1857 had no force in the colonies of British North America before Confederation except in those colonies where such legislation had been enacted.

Canada.-

By Sec. 91 of the British North America Act (26), the Dominion Parliament was granted jurisdiction over the matter of marriage and divorce, while by Sec. 92 (12) Provincial Legislatures were empowered to legislate upon the solemnization of marriage in their respective provinces.

The Dominion Parliament, however, from 1867 until 1924, has passed no Act granting the right to obtain divorce nor had any court with jurisdiction in divorce matters been created in the Dominion or in any province by Dominion Legislation. Matrimonial relief may, however, be obtained, and granted under authority of the B.N.A. Act, by petition to the Dominion Parliament through the Divorce Committee of the Senate.

The Dominion Parliament by C. 41 of the Statutes of 1925, added a new and important provision to the Canadian law respecting divorce. The law in force until the passage of the Divorce Act, in so far as it concerned causes for divorce proceedings, has provided that, while a husband may obtain a divorce on grounds of adultery, it is necessary for a wife to prove both adultery and desertion. This anomaly has been removed, sec. 2 of the Divorce Act stating "In any court having jurisdiction to grant divorce a vinculo matrimonii any wife may commence an action praying that her marriage may be dissolved on the ground that her husband has since the celebration thereof been guilty of adultery". The granting of a divorce in such cases, of course, is dependent on sufficient evidence that the wife has not been an accessory to or connived at such adultery or that the action is not prosecuted in collusion with the husband or the woman with whom he is alleged to have committed adultery. In addition "the court shall not be bound to pronounce such decree if it finds that the wife during the marriage has been guilty of adultery or.....of unreasonable delay or of cruelty towards the husband or of having deserted or wilfully separated herself from the husband before the adultery complained of and without reasonable excuse, or of such wilful neglect or misconduct as has conduced to the adultery".

Nova Scotia and New Brunswick.-

By Sec. 129 of the B.N.A. Act, all laws in force in Canada, Nova Scotia and New Brunswick and all courts, etc. were to continue to exist in the provinces of Ontario, Quebec, Nova Scotia and New Brunswick after Confederation. The provinces of Nova Scotia and New Brunswick, therefore, having enacted legislation respecting divorce and possessing courts exercising jurisdiction over such matters before Confederation and having continued to exercise jurisdiction through courts of Divorce and Matrimonial Causes, are now in the same position as they were then. A court was established in Nova Scotia under C. 126 of the Revised Statutes (third series) of Nova Scotia, 1864, as the Court of Marriage and Divorce, the name of which was changed by C. 13 of the statutes of 1866 to the Court for Divorce and Matrimonial Causes. The Court of Divorce and Matrimonial Causes in New Brunswick was likewise set up by an Act passed in 1860 (an Act to amend the Law relating to Divorce and Matrimonial Causes). (See. R.S., N.B., 1903, C. 115).

Prince Edward Island.-

In Prince Edward Island a court having jurisdiction in divorce was constituted by an Act of 1835 (5 Wm. IV, C. 10). This law has not been repealed since that time, but the power vested in the Governor and Executive Council to establish a divorce court has never been exercised. Persons living in Prince Edward Island, who are desirous of seeking dissolution of marriage, must do so by petition to the Dominion Parliament.

British Columbia.-

The colony of British Columbia acquired jurisdiction in matrimonial causes following a proclamation of the Governor giving force in the province to the civil and criminal law of England as it existed on Nov. 19, 1858. The province has continued to exercise jurisdiction over divorce through the courts established before Confederation. (See Revisé Statutes of B.C., 1924, C. 75).

Manitoba.-

The divorce law of England, as it existed on July 15, 1870, was introduced into Manitoba by an Act of the Dominion Parliament, 51 Vict., C. 33. The court of King's Bench of Manitoba has the same jurisdiction in divorce as the courts have in England under the Divorce and Matrimonial Causes Act, 1857.

Alberta and Saskatchewan.-

The Dominion Parliament, by 49 Vict. C. 25, enacted that the laws of England as existing on July 15, 1870, should be in force in the Northwest Territories. In 1918 the Appellate Division of the Supreme Court of Alberta held that the effect of the above Act and of legislation passed creating the province was to make the Divorce and Matrimonial Causes Act of 1857 and amendments up to July 15, 1870 apply to the province of Alberta. This decision was confirmed on appeal to the Imperial Privy Council. Subsequent judgments by the Saskatchewan Court of Appeal held that the English law as it existed on July 15, 1870 had force in the province and that the rights conferred under it might be enforced by the Court of King's Bench. The provinces of Alberta and Saskatchewan, therefore, are in the same position in the matter of jurisdiction over divorce.

Ontario and Quebec.-

In Ontario and Quebec it is considered that the courts have no jurisdiction to entertain an application for divorce and no attempt has been made in Ontario to establish such power. In Quebec the courts have assumed power, not to dissolve but, in some cases, to annul marriage or to entertain petitions for separation. The power to annul a marriage is exercised by the courts of Ontario in certain cases only (See 7 Edw. VII, C. 23; R.S.O. 1914, C. 148; 9 Geo. V, C. 35). Persons seeking divorce in Ontario and Quebec, (as well as in Prince Edward Island) must do so by petition to the Dominion Parliament.

84-D-20

C A N A D A

DEPARTMENT OF TRADE AND COMMERCE

DOMINION BUREAU OF STATISTICS

GENERAL STATISTICS BRANCH

DIVORCES GRANTED IN CANADA

in

1929

Published by Authority of the Hon. James Malcolm, M.P.,
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♦ ♦ ♦
OTTAWA

1930

DOMINION BUREAU OF STATISTICS
GENERAL STATISTICS BRANCH
OTTAWA

Dominion Statistician: R. H. Coats, B.A., F.S.S. (Hon.), F.R.S.C.
Chief, General Statistics Branch: S. A. Cudmore, M.A., F.S.S.

DIVORCES IN CANADA, 1929

(With Supplementary notes on Jurisdiction in Divorce in Canada)

Statistics of divorces, secured from the authorities of six provinces where divorces are granted by the courts and from the Dominion statutes for Ontario and Quebec, and compiled by the General Statistics Branch of the Dominion Bureau of Statistics, show an increase of 31 in the number of divorces granted in Canada during 1929 over the previous year. A total of 816 divorces was granted during the calendar year 1929, as compared with 785 during the calendar year 1928 - an increase of 3.9 p.c. The 1929 total is the largest number so far recorded in any one year.

The increase in divorces granted during the war period has been ascribed to the unsettling psychological effects of the war and the long separations of men from their wives, combined with the new facilities for obtaining divorce provided by a decision of the Judicial Committee of the Privy Council, which enabled the courts of Alberta and Saskatchewan to grant divorces. Decreases in the totals in 1922 and 1923 appeared to indicate a decline which might be ascribed to the passage of war-time conditions, but the comparatively large increases from 1924 to 1929 must evidently be attributed to the greater ease with which decrees may now be obtained and, possibly, to a more lenient view of such proceedings on the part of the community. (See Jurisdiction in Divorce in Canada, page 5.)

Divorces in the Different Provinces.- The number of divorces granted during 1928, by provinces, (Table 1) was 222 in British Columbia, 208 in Ontario, 147 in Alberta, 89 in Manitoba, 69 in Saskatchewan, 30 in Nova Scotia, 30 in Quebec, 21 in New Brunswick and none in Prince Edward Island, where, indeed, only one divorce has been granted since Confederation. The largest increases in divorces granted during the year were in British Columbia and Saskatchewan, in which provinces the 1929 figures showed increases of 19 and 14 respectively. Manitoba, with 10, New Brunswick, with 7, and Quebec, with 5, also showed increases. Alberta and Ontario showed decreases of 21 and 5, respectively.

The Sex of Applicants for Divorces.- Previous to 1924 Canada's divorce statistics differed from those of most other countries in that they showed that a majority of the divorces granted were at the petition of the husband. In 1924 wives obtained 51.2 p.c. of the decrees granted, but in 1925 husbands were again in the majority of the successful petitioners with 50.6 p.c. In 1926 wives received relief in 52 p.c. of the cases adjudged, in 1927 52.6 p.c. and in 1928 52.0 p.c., this condition being possibly due to the passing of the Divorce Act, 1925, which removed certain anomalies which formerly operated to the prejudice of wives. In 1929 wives received relief in 53.9 p.c. of the cases adjudged. A comparison of Canadian divorce statistics with those of New Zealand and the United States shows that of the decrees granted in the former country from 1922 to 1927, wives received 57.7, 56.6, 58.7, 55.0, 61.4 and 55.0 p.c. respectively, while figures for the latter country for the five year period from 1923 to 1927 show the decisions granted to wives as being 67.8, 68.5, 69.9, 70.5 and 71.0 p.c. of the total respectively. In the United States the proportion of two divorces granted to wives to one granted to husbands has remained fairly constant since 1889.

A possible indication of the grounds of petitions and decrees may be had from statistics of divorce in New Zealand, where a proportionately larger number of divorces were granted in 1927 to husbands on grounds of adultery, while a preponderance of decrees based on separation were granted to wives. The numbers of divorces granted on grounds of desertion form about 41 p.c. of the total numbers granted to husbands and 33 p.c. of those granted to wives. In the United States, however, 45 p.c. of the divorces granted to wives are on grounds of cruelty, while 45 p.c. of those granted to husbands are on the ground of desertion. In the latter country, as in New Zealand, a correspondingly larger proportion of decrees are granted to husbands on grounds of adultery than to wives.

Divorces Granted in United States to Persons Married in Canada.- A fact which throws considerable light on the divorce situation in Canada is found in the Marriage and Divorce Bulletin of the United States Bureau of the Census. The statistics of this publication indicate the surprisingly large extent to which divorces are granted in that country to persons married in Canada. Thus, in 1922, the latest year in which statistics of the country of marriage of persons obtaining divorces were collected, no fewer than 1,368 divorce decrees were granted to couples married in Canada, a number more than $2\frac{1}{2}$ times as large as the total number of divorces granted in Canada in the same year. This number also formed 36.2 p.c. of the number of divorces granted in United States during the year to couples married in foreign countries, while, at the same time the percentage of the Canadian-born population to the total foreign-born amounted to only 8.1 p.c. The Bulletin goes on to say, "It is possible that many Canadians acquire a residence in the United States for the sole purpose of obtaining divorce because, in general, divorce laws are more liberal in the United States than in Canada." Of the 1,368 divorces granted in 1922 to couples who had been married in Canada, no fewer than 462 were granted by the courts of the State of Michigan, while 135 were granted by the courts of the State of Washington and 128 in California.

1. DIVORCES GRANTED IN CANADA 1913 - 1929

(Final Decrees)

Year	Ont.	Que.	Alta.	Sask.	Man.	Nova Scotia	New Brunswick	British Col- umbia	Total for Canada
1913	20	4	4	1	6	-	4	20	60
1914	18	7	4	2	2	10	12	15	70
1915	10	3	3	1	1	13	6	16	53
1916	18	1	1	2	2	14	11	18	67
1917	10	4	2	1	-	8	6	23	54
1918	10	2	2	1	-	24	10	65	114
1919	49	4	36	3	88	36	13	147	376
1920	91	9	65	26	42	45	15	136	429
1921	101	9	84	50	122	41	13	128	548
1922	90	6	129	37	97	35	12	138	544
1923	105	11	87	41	81	22	19	139	505
1924	114	13	118	28	77	42	15	136	543
1925	121	13	101	42	79	30	15	150	551
1926	113	10	154	48	85	19	12	167	608
1927	182	13	148	60	102	29	17	197	748
1928	213	25	168	55	79	28	14	203	785
1929	208	30	147	69	89	30	21	222	816

Note - In Prince Edward Island, only one divorce was granted between 1868 and 1929.
This was granted in 1913.

2. DIVORCES GRANTED IN CANADA, 1927 - 1929,
BY PROVINCES AND SEX OF PLAINTIFF

(Final Decrees)

	To Husbands:			To Wives:			Total:		
	1927	1928	1929	1927	1928	1929	1927	1928	1929
Prince Edward Is.	-	-	-	-	-	-	-	-	-
Nova Scotia	14	16	13	15	12	17	29	28	30
New Brunswick	11	6	11	6	8	10	17	14	21
Quebec	7	7	14	6	18	16	13	25	30
Ontario	64	87	93	118	126	115	182	213	208
Manitoba	46	44	43	56	35	46	102	79	89
Saskatchewan	40	27	36	20	28	33	60	55	69
Alberta	82	90	76	66	78	71	148	168	147
British Columbia	91	100	90	106	103	132	197	203	222
Canada	355	377	376	393	408	440	748	785	816

1. $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$

95

COMPARISONS WITH OTHER COUNTRIES

In Table 3 are added comparative figures of divorces and marriage in England and Wales, Australia, New Zealand and Canada for the years 1916 and subsequently. The percentage of divorces to marriages taking place in the same year, as here given, is seen in the case of England and Wales to have increased during those years from 0.35 p.c. to 1.32 p.c.; in Australia from 1.53 p.c. to 3.44 p.c.; in New Zealand from 2.41 p.c. to 5.15 p.c. and in Canada from 0.1 p.c. to 1.06 p.c. Similar figures for the United States, where, of course, the total number of divorces is unusually large owing to the comparative ease with which they may be obtained, show increases from 27,919 in 1887 to 42,937 in 1896, 72,062 in 1906, 112,036 in 1916, 148,815 in 1922, 165,096 in 1923, 170,952 in 1924, 175,449 in 1925, 180,853 in 1926, 192,037 in 1927 and 195,939 in 1928. The percentage of divorces to marriages increased from 10.6 to 16.5 during the years 1916 to 1928, divorces during this period increasing by 74.9 p.c. (In 1927 divorces granted to women in the United States constituted 71.0 p.c. of the total granted, as compared with 70.5 p.c. in 1926.)

3. NUMBER OF MARRIAGES AND DIVORCES IN ENGLAND AND WALES,
AUSTRALIA, NEW ZEALAND AND CANADA IN RECENT YEARS

Year	England and Wales		Australia		New Zealand		Canada	
	No. of Mar-riages	No. of Di-vores	No. of Mar-riages	No. of Di-vores	No. of Mar-riages	No. of Di-vores	No. of Mar-riages	No. of Di-vores
1916	279,846	990	40,289	617	8,213	198	65,000 ^{1/}	67
1917	258,855	703	33,666	652	6,417	221	60,000 ^{1/}	54
1918	287,163	1,111	33,141	697	6,227	203	55,000 ^{1/}	114
1919	369,411	1,654	40,540	891	9,519	337	70,000 ^{1/}	376
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1922	299,524	2,588	44,731	1,338	9,556	523	64,420	544
1923	292,408	2,667	44,541	1,480	10,070	524	66,463	505
1924	296,416	2,286	45,869	1,544	10,259	530	65,129	543
1925	295,689	2,605	46,899	1,870	10,419	612	64,644	551
1926	279,860	2,622	47,865	1,649	10,680	614	66,558	608
1927	308,370	3,190	49,033	-	10,478	540	69,465	748
1928	303,228	4,018	-	-	-	-	74,311	785

1/ Estimated.

JURISDICTION IN DIVORCE IN CANADA

English Legislation affecting Canadian Legislation.-

It was not until 1857, when the Divorce and Matrimonial Causes Act was passed in England, that a right to divorce in that country was created. Divorce as we now understand it had formerly the significance of judicial separation. By this Act of 1857 the Court of Divorce and Matrimonial Causes was created and all jurisdiction in matrimonial matters, formerly exercised by the Ecclesiastical Courts, was transferred to it by the Act.

The Divorce and Matrimonial Causes Act of 1857 had no force in the colonies of British North America before Confederation except in those colonies where such legislation had been enacted.

Canada.-

By Sec. 91 of the British North America Act (26), the Dominion Parliament was granted jurisdiction over the matter of marriage and divorce, while by Sec. 92 (12) Provincial Legislatures were empowered to legislate upon the solemnization of marriage in their respective provinces.

The Dominion Parliament, however, from 1867 until 1924, has passed no Act granting the right to obtain divorce nor had any court with jurisdiction in divorce matters been created in the Dominion or in any province by Dominion Legislation. Matrimonial relief may, however, be obtained, and granted under authority of the B.N.A. Act, by petition to the Dominion Parliament through the Divorce Committee of the Senate.

The Dominion Parliament, by C. 41 of the Statutes of 1925, added a new and important provision to the Canadian law respecting divorce. The law in force until the passage of the Divorce Act, in so far as it concerned causes for divorce proceedings, has provided that, while a husband may obtain a divorce on grounds of adultery, it is necessary for a wife to prove both adultery and desertion. This anomaly has been removed, sec. 2 of the Divorce Act stating "In any court having jurisdiction to grant divorce a vinculo matrimonii any wife may commence an action praying that her marriage may be dissolved on the ground that her husband has since the celebration thereof been guilty of adultery". The granting of a divorce in such cases, of course, is dependent on sufficient evidence that the wife has not been an accessory to or connived at such adultery or that the action is not prosecuted in collusion with the husband or the woman with whom he is alleged to have committed adultery. In addition "the court shall not be bound to pronounce such decree if it finds that the wife during the marriage has been guilty of adultery or.....of unreasonable delay or of cruelty towards the husband or of having deserted or wilfully separated herself from the husband before the adultery complained of and without reasonable excuse, or of such wilful neglect or misconduct as has conduced to the adultery".

Nova Scotia and New Brunswick.-

By Sec. 129 of the B.N.A. Act, all laws in force in Canada, Nova Scotia and New Brunswick and all courts, etc. were to continue to exist in the provinces of Ontario, Quebec, Nova Scotia and New Brunswick after Confederation. The provinces of Nova Scotia and New Brunswick, therefore, having enacted legislation respecting divorce and possessing courts exercising jurisdiction over such matters before Confederation and having continued to exercise jurisdiction through courts of Divorce and Matrimonial Causes, are now in the same position as they were then. A court was established in Nova Scotia under C. 126 of the Revised Statutes (third series) of Nova Scotia, 1864, as the Court of Marriage and Divorce, the name of which was changed by C. 13 of the Statutes of 1866 to the Court for Divorce and Matrimonial Causes. The Court of Divorce and Matrimonial Causes in New Brunswick was likewise set up by an Act passed in 1860 (an Act to amend the Law relating to Divorce and Matrimonial Causes). (See R.S., N.B., 1903, C. 115).

Prince Edward Island.-

In Prince Edward Island a court having jurisdiction in divorce was constituted by an Act of 1835 (5 Wm. IV, C. 10). This law has not been repealed since that time, but the power vested in the Governor and Executive Council to establish a divorce court has never been exercised. Persons living in Prince Edward Island, who are desirous of seeking dissolution of marriage, must do so by petition to the Dominion Parliament.

British Columbia.-

The colony of British Columbia acquired jurisdiction in matrimonial causes following a proclamation of the Governor giving force in the province to the civil and criminal law of England as it existed on Nov. 19, 1858. The province has continued to exercise jurisdiction over divorce through the courts established before Confederation. (See Rev. Statutes of B.C., 1924, C. 75).

Manitoba.-

The divorce law of England, as it existed on July 15, 1870, was introduced into Manitoba by an Act of the Dominion Parliament, 51 Vict., C. 33. The court of King's Bench of Manitoba has the same jurisdiction in divorce as the courts have in England under the Divorce and Matrimonial Causes Act, 1857.

Alberta and Saskatchewan.-

The Dominion Parliament, by 49 Vict. C. 25, enacted that the laws of England as existing on July 15, 1870, should be in force in the Northwest Territories. In 1918 the Appellate Division of the Supreme Court of Alberta held that the effect of the above Act and of legislation passed creating the province was to make the Divorce and Matrimonial Causes Act of 1857 and amendments up to July 15, 1870 apply to the province of Alberta. This decision was confirmed on appeal to the Imperial Privy Council. Subsequent judgments by the Saskatchewan Court of Appeal held that the English law as it existed on July 15, 1870 had force in the province and that the rights conferred under it might be enforced by the Court of King's Bench. The provinces of Alberta and Saskatchewan, therefore, are in the same position in the matter of jurisdiction over divorce.

Ontario and Quebec.-

In Ontario and Quebec it is considered that the courts have no jurisdiction to entertain an application for divorce and no attempt has been made in Ontario to establish such power. In Quebec the courts have assumed power, not to dissolve but, in some cases, to annul marriage or to entertain petitions for separation. The power to annul a marriage is exercised by the courts of Ontario in certain cases only (See 7 Edw. VII, C. 23; R.S.O. 1914, C. 148; 9 Geo. V. C. 35). Persons seeking divorce in Ontario and Quebec, (As well as in Prince Edward Island) must do so by petition to the Dominion Parliament.

84-D-20

C A N A D A
DEPARTMENT OF TRADE AND COMMERCE
DOMINION BUREAU OF STATISTICS
GENERAL STATISTICS BRANCH

DIVORCES GRANTED IN CANADA

in

1930

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Published by Authority of the Hon. H. H. Stevens, M.P.,
Minister of Trade and Commerce

+ + +

OTTAWA

1931

DOMINION BUREAU OF STATISTICS
GENERAL STATISTICS BRANCH
OTTAWA

Dominion Statistician:	R. H. Coats, B.A., F.S.S., (Hon.) F.R.S.C.
Chief, General Statistics Branch:	S. A. Cudmore, M.A., F.S.S.

DIVORCES IN CANADA, 1930

(With Supplementary notes on Jurisdiction in Divorce in Canada)

Statistics of divorces, secured from the authorities of six provinces where divorces are granted by the courts and from the Dominion statutes for Ontario and Quebec, and compiled by the General Statistics Branch of the Dominion Bureau of Statistics, show an increase of 59 in the number of divorces granted in Canada during 1930 over the previous year. A total of 875 divorces was granted during the calendar year 1930, as compared with 816 during the calendar year 1929 - an increase of 7.2 p.c. The 1930 total is the largest number so far recorded in any one year.

The increase in divorces granted during the war period has been ascribed to the unsettling psychological effects of the war and the long separations of men from their wives, combined with the new facilities for obtaining divorce provided by a decision of the Judicial Committee of the Privy Council, which enabled the courts of Alberta and Saskatchewan to grant divorces. Decreases in the totals in 1922 and 1923 appeared to indicate a decline which might be ascribed to the passage of war-time conditions, but the comparatively large increases from 1924 to 1930 must evidently be attributed to the greater ease with which decrees may now be obtained and, possibly, to a more lenient view of such proceedings on the part of the community. (See Jurisdiction in Divorce in Canada, page 5.)

Divorces in the Different Provinces.- The number of divorces granted during 1930, by provinces, (Table 1) was 255 in British Columbia, 207 in Ontario 151 in Alberta, 114 in Manitoba, 62 in Saskatchewan, 40 in Quebec, 27 in New Brunswick, 19 in Nova Scotia, and none in Prince Edward Island, where, indeed, only one divorce has been granted since Confederation. The largest increases in divorces granted during the year were in British Columbia and Manitoba, in which provinces the 1930 figures showed increases of 33 and 25 respectively. Quebec, with 10, New Brunswick, with 6, and Alberta, with 4, also showed increases. Nova Scotia, Saskatchewan and Ontario showed decreases of 11, 7 and 1, respectively.

The Sex of Applicants for Divorces.- Previous to 1924 Canada's divorce statistics differed from those of most other countries in that they showed that a majority of the divorces granted were at the petition of the husband. In 1924 wives obtained 51.2 p.c. of the decrees granted, but in 1925 husbands were again in the majority of the successful petitioners with 50.6 p.c. In 1926 wives received relief in 52 p.c. of the cases adjudged, in 1927 52.6 p.c. and in 1928 52.0 p.c., this condition being possibly due to the passing of the Divorce Act, 1925, which removed certain anomalies which formerly operated to the prejudice of wives. In 1929 wives received relief in 53.9 p.c. of the cases adjudged, while in 1930 the percentage of decrees granted to wives had increased to 58.4 p.c. A comparison of Canadian divorce statistics with those of New Zealand and the United States shows that of the decrees granted in the former country from 1922 to 1927, wives received 57.7, 56.6, 58.7, 55.0, 61.4 and 55.0 p.c. respectively, while figures for the latter country for the five year period from 1924 to 1928 show the decisions granted to wives as being 68.5, 69.9, 70.5, 71.0 and 71.4 p.c. of the total respectively. In the United States the proportion of two divorces granted to wives to one granted to husbands has remained fairly constant since 1889.

From the first settlement of the city in 1630 to the present time, the city has grown from a small fishing village to a great metropolis. The city has been the seat of government, commerce, and industry, and has played a prominent part in the history of the United States.

THE
EARLY HISTORY

The city of Boston was first settled in 1630 by a group of Puritan settlers from England. They came to the city in search of a place where they could practice their religion freely and establish a community based on their religious principles. The city was named after the English city of Boston, and the settlers were known as the "Bostonians".

The city grew rapidly in the years following its settlement, and by 1680 it had become one of the largest cities in the colonies. The city was the center of the Puritan movement, and it played a leading role in the development of the American colonies. The city was also the site of many important events in the history of the United States, including the Boston Tea Party and the Battle of Boston.

The city continued to grow and develop throughout the 18th and 19th centuries. It became a major center of commerce and industry, and it played a leading role in the American Revolution. The city was the site of many important events, including the signing of the Declaration of Independence and the Battle of Bunker's Hill. The city was also the center of the abolitionist movement, and it played a leading role in the fight for the abolition of slavery.

THE
MIDDLE PERIOD

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A possible indication of the grounds of petitions and decrees may be had from statistics of divorce in New Zealand, where a proportionately larger number of divorces were granted in 1928 to husbands on grounds of adultery, while a preponderance of decrees based on separation were granted to wives. The numbers of divorces granted on grounds of desertion form about 28 p.c. of the total numbers granted to husbands and 31 p.c. of those granted to wives. In the United States, however, 44 p.c. of the divorces granted to wives are on grounds of cruelty, while 44 p.c. of those granted to husbands are on the ground of desertion. In the latter country, as in New Zealand, a correspondingly larger proportion of decrees are granted to husbands on grounds of adultery than to wives.

Divorces Granted in United States to Persons Married in Canada. - A fact which throws considerable light on the divorce situation in Canada is found in the Marriage and Divorce Bulletin of the United States Bureau of the Census. The statistics of this publication indicate the surprisingly large extent to which divorces are granted in that country to persons married in Canada. Thus, in 1922, the latest year in which statistics of the country of marriage of persons obtaining divorces were collected, no fewer than 1,368 divorce decrees were granted to couples married in Canada, a number more than $2\frac{1}{2}$ times as large as the total number of divorces granted in Canada in the same year. This number also formed 36.2 p.c. of the number of divorces granted in United States during the year to couples married in foreign countries, while, at the same time the percentage of the Canadian-born population to the total foreign-born amounted to only 8.1 p.c. The Bulletin goes on to say, "It is possible that many Canadians acquire a residence in the United States for the sole purpose of obtaining divorce because, in general, divorce laws are more liberal in the United States than in Canada." Of the 1,368 divorces granted in 1922 to couples who had been married in Canada, no fewer than 462 were granted by the courts of the State of Michigan, while 135 were granted by the courts of the State of Washington and 128 in California.

1. DIVORCES GRANTED IN CANADA 1913 - 1930

(Final Decrees)

Year	Ont.	Que.	Alta.	Sask.	Man.	Nova Scotia	New Brunswick	British Columbia	Total for Canada
1913	20	4	4	1	6	-	4	20	60
1914	18	7	4	2	2	10	12	15	70
1915	10	3	3	1	1	13	6	16	53
1916	18	1	1	2	2	14	11	18	67
1917	10	4	2	1	-	8	6	23	54
1918	10	2	2	1	-	24	10	65	114
1919	49	4	36	3	88	36	13	147	376
1920	91	9	65	26	42	45	15	136	429
1921	101	9	84	50	122	41	13	128	548
1922	90	6	129	37	97	35	12	138	544
1923	105	11	87	41	81	22	19	139	505
1924	114	13	118	28	77	42	15	136	543
1925	121	13	101	42	79	30	15	150	551
1926	113	10	154	48	85	19	12	167	608
1927	182	13	148	60	102	29	17	197	748
1928	213	25	168	55	79	28	14	203	785
1929	208	30	147	69	89	30	21	222	816
1930	207	40	151	62	114	19	27	255	875

Note - In Prince Edward Island, only one divorce was granted between 1868 and 1929.
This was granted in 1913. For notes on Ontario divorces see page 6.

2. DIVORCES GRANTED IN CANADA, 1928 - 1930
BY PROVINCES AND SEX OF PLAINTIFF

(Final Decrees)

	To Husbands:			To Wives:			Total:		
	1928	1929	1930	1928	1929	1930	1928	1929	1930
Prince Edward Is.	-	-	-	-	-	-	-	-	-
Nova Scotia	16	13	12	12	17	7	28	30	19
New Brunswick	6	11	16	8	10	11	14	21	27
Quebec	7	14	18	18	16	22	25	30	40
Ontario	87	93	78	126	115	129	213	208	207
Manitoba	44	43	46	35	46	68	79	89	114
Saskatchewan	27	36	34	28	33	28	55	69	62
Alberta	90	76	64	78	71	87	168	147	151
British Columbia	100	90	96	103	132	159	203	222	255
Canada	377	376	364	408	440	511	785	816	875

COMPARISONS WITH OTHER COUNTRIES

In Table 3 are added comparative figures of divorces and marriage in England and Wales, Australia, New Zealand and Canada for the years 1916 and subsequently. The percentage of divorces to marriages taking place in the same year, as here given, is seen in the case of England and Wales to have increased during these years from 0.35 p.c. to 1.08 p.c.; in Australia from 1.53 p.c. to 3.86 p.c.; in New Zealand from 2.41 p.c. to 5.43 p.c. and in Canada from 0.1 p.c. to 1.05 p.c. Similar figures for the United States, where, of course, the total number of divorces is unusually large owing to the comparative ease with which they may be obtained, show increases from 27,919 in 1887 to 42,937 in 1896, 72,062 in 1906, 112,036 in 1916, 148,815 in 1922, 165,096 in 1923, 170,952 in 1924, 175,449 in 1925, 180,853 in 1926, 192,037 in 1927, 195,939 in 1928 and 201,468 in 1929. The percentage of divorces to marriages increased from 10.6 to 16.3 during the years 1916 to 1929, divorces during this period increasing by 79.8 p.c. (In 1928 divorces granted to women in the United States constituted 71.4 p.c. of the total granted, as compared with 71.0 p.c. in 1927.)

3. NUMBER OF MARRIAGES AND DIVORCES IN ENGLAND AND WALES
AUSTRALIA, NEW ZEALAND AND CANADA IN RECENT YEARS

Year	England and Wales		Australia		New Zealand		Canada	
	No. of Mar-riages	No. of Di-vorces	No. of Mar-riages	No. of Di-vorces	No. of Mar-riages	No. of Di-vorces	No. of Mar-riages	No. of Di-vorces
1916	279,846	990	40,289	617	8,213	198	65,000 ^{1/}	67
1917	258,855	703	33,666	652	6,417	219	60,000 ^{1/}	54
1918	287,163	1,111	33,141	681	6,227	199	55,000 ^{1/}	114
1919	369,411	1,654	40,540	879	9,519	336	70,000 ^{1/}	376
1920	379,658	3,090	51,552	1,152	12,175	469	80,931	429
1921	320,852	3,522	46,869	1,480	10,635	511	69,732	548
1922	299,524	2,588	44,731	1,326	9,556	522	64,420	544
1923	292,408	2,667	44,541	1,460	10,070	522	66,463	505
1924	296,416	2,286	45,869	1,528	10,259	526	65,129	543
1925	295,689	2,605	46,899	1,844	10,419	612	64,644	551
1926	279,860	2,622	47,865	1,681	10,680	614	66,658	608
1927	308,370	3,190	49,033	1,896	10,478	540	69,515	748
1928	303,228	4,018	48,593	-	10,537	572	74,311	785
1929	313,316	3,396	-	-	-	-	77,265	816

^{1/} Estimated.

JURISDICTION IN DIVORCE IN CANADA

English Legislation affecting Canadian Legislation.-

It was not until 1857, when the Divorce and Matrimonial Causes Act was passed in England, that a right to divorce in that country was created. Divorce as we now understand it had formerly the significance of judicial separation. By this Act of 1857, the Court of Divorce and Matrimonial Causes was created and all jurisdiction in matrimonial matters, formerly exercised by the Ecclesiastical Courts, was transferred to it by the Act.

The Divorce and Matrimonial Causes Act of 1857 had no force in the colonies of British North America before Confederation except in those colonies where such legislation had been enacted.

Canada.-

By Sec. 91 of the British North America Act (26), the Dominion Parliament was granted jurisdiction over the matter of marriage and divorce, while by Sec. 92 (12) Provincial Legislatures were empowered to legislate upon the solemnization of marriage in their respective provinces.

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The Dominion Parliament, by C. 41 of the Statutes of 1925, added a new and important provision to the Canadian law respecting divorce. The law in force until the passage of the Divorce Act, in so far as it concerned causes for divorce proceedings, has provided that, while a husband may obtain a divorce on grounds of adultery, it is necessary for a wife to prove both adultery and desertion. This anomaly has been removed, Sec. 2 of the Divorce Act stating "In any court having jurisdiction to grant divorce a vinculo matrimonii any wife may commence an action praying that her marriage may be dissolved on the ground that her husband has since the celebration thereof been guilty of adultery". The granting of a divorce in such cases, of course, is dependent on sufficient evidence that the wife has not been an accessory to or connived at such adultery or that the action is not prosecuted in collusion with the husband or the woman with whom he is alleged to have committed adultery. In addition "the court shall not be bound to pronounce such decree if it finds that the wife during the marriage has been guilty of adultery or.....of unreasonable delay or of cruelty towards the husband or of having deserted or wilfully separated herself from the husband before the adultery complained of and without reasonable excuse or of such wilful neglect or misconduct as has conduced to the adultery".

In 1930, by C. 14 of the Statutes of that year, jurisdiction in divorce was conferred upon the Supreme Court of Ontario, and by C. 15, women, whose husbands had deserted them and removed from the jurisdiction of the courts of the province, were permitted to institute an action for divorce, after a lapse of two years, in the courts of the province in which they had continued to reside, upon any grounds which were already recognized by the courts of that province, provided that the husband was domiciled in the same province immediately prior to such desertion.

Nova Scotia and New Brunswick.-

By Sec. 129 of the B.N.A. Act, all laws in force in Canada, Nova Scotia and New Brunswick and all courts, etc. were to continue to exist in the provinces of Ontario, Quebec, Nova Scotia and New Brunswick after Confederation. The provinces of Nova Scotia and New Brunswick, therefore, having enacted legislation respecting divorce and possessing courts exercising jurisdiction over such matters before Confederation and having continued to exercise jurisdiction through courts of Divorce and Matrimonial Causes, are now in the same position as they were then. A court was established in Nova Scotia under C. 126 of the Revised Statutes (third series) of Nova Scotia, 1864, as the Court of Marriage and Divorce, the name of which was changed by C. 13 of the Statutes of 1866 to the Court for Divorce and Matrimonial Causes. The Court of Divorce and Matrimonial Causes in New Brunswick was likewise set up by an Act passed in 1860 (an Act to amend the Law relating to Divorce and Matrimonial Causes). (See R.S., N.B., 1903, C. 115).

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In Ontario and Quebec it is considered that the courts have no jurisdiction to entertain an application for divorce and no attempt has been made in Ontario to establish such power. In Quebec the courts have assumed power, not to dissolve but, in some cases, to annul marriage or to entertain petitions for separations. The power to annul a marriage is exercised by the courts of Ontario in certain cases only (See 7 Edw. VII, C. 23; R.S.O. 1914, C. 148; 9 Geo. V. C. 35). Persons seeking divorce in Ontario and Quebec, (as well as in Prince Edward Island) must do so by petition to the Dominion Parliament.

Towards the end of the first session of the 1930 Parliament, jurisdiction in divorce in Ontario was conferred upon the Supreme Court of that province. The figures of Ontario divorces in this press letter apply only to divorces granted by Parliament, no decrees absolute having been pronounced by the provincial courts at the end of 1930.

84-D-20

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DIVORCES GRANTED IN CANADA

in

1932

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Published by Authority of the Hon. H.H. Stevens, M.P.,
Minister of Trade and Commerce

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OTTAWA

1933

DOMINION BUREAU OF STATISTICS
GENERAL STATISTICS BRANCH
OTTAWA

Dominion Statistician:	R. H. Coats, B.A., F.S.S. (Hon.), F.R.S.C.
Chief, General Statistics Branch:	S. A. Cudmore, M.A., F.S.S.

DIVORCES IN CANADA, 1932

(With Supplementary notes on Jurisdiction in Divorce in Canada)

There were 887 divorces granted in Canada in the calendar year 1932, 860 being granted by the courts of seven provinces, while 27 were granted by the Dominion Parliament. These latter have been allotted to provinces according to the domicile of the petitioner, 24 being granted to applicants residing in the province of Quebec and 3 to wives residing in Ontario whose husbands were residents of Quebec. The total of 887 divorces may fairly be compared with 875 in 1930.

As compared with 1931 there was an increase of 203 divorces or 29.7 p.c. Ontario recorded 233 divorces or an increase of 151 over the low figure of 82 in 1931, when the transfer of jurisdiction from the Parliament of Canada to the Supreme Court of Ontario, with the consequent imposition of the usual six months period between the granting of the decree nisi and the decree absolute, brought about a reduction from the figure of 208 divorces in 1930 to 82 in 1931. Other provinces recording increases in 1932 were British Columbia, 37; Manitoba, 20; Saskatchewan, 10; and New Brunswick, 6. Decreases were shown in the following provinces: Quebec, 14; Alberta, 5 and Nova Scotia and Prince Edward Island, one each. Table 1 shows the divorces granted, by provinces, in each of the twenty years from 1913 to 1932. It will be observed that the total of divorces granted in 1932 is the highest on record.

The Sex of Applicants for Divorces.- Up till 1924, Canada's divorce statistics differed from those of most other countries in that they showed that a majority of the divorces granted were at the petition of the husband. In 1924 wives obtained 51.2 p.c. of the decrees granted, but in 1925 husbands were again in the majority of the successful petitioners with 50.6 p.c. In 1926 wives received relief in 52.0 p.c. of the cases adjudged, in 1927 52.6 p.c. and in 1928 52.0 p.c., this condition being possibly due to the passing of the Divorce Act, 1925, which removed certain anomalies which formerly operated to the prejudice of wives. In 1929 and 1930 wives received relief in 53.9 p.c. and 58.4 p.c., respectively, of the cases adjudged, while in 1931 the proportion dropped to 57.7 p.c., rising in 1931 to 58.7 p.c. A comparison of Canadian divorce statistics with those of New Zealand and the United States shows that of the decrees granted in the former country from 1925 to 1930, wives received 55.0, 61.4, 55.0, 52.8, 57.3 and 56.3 p.c., respectively, while figures for the latter country for the six year period from 1926 to 1931 show the decisions granted to wives as being 69.9, 70.5, 71.0, 71.4, 72.3 and 72.8 p.c. of the total respectively. In the United States, the proportion of two divorces granted to wives to one granted to husbands remained fairly constant from 1889 to 1923, but is now being replaced by a higher ratio of about five-sevenths.

Proportion of Divorced Persons in the Population.- At the 1931 census, there were 4,049 divorced males and 3,392 divorced females in the Dominion, or 0.08 p.c. and 0.07 p.c. of each sex respectively, while in 1921 the figures were 3,670 and 3,731 or 0.08 p.c. and 0.09 p.c., respectively. As among the nine provinces, British Columbia showed the highest percentage of divorced persons in the population with 0.24 p.c. of each sex, while Quebec showed the lowest percentage with 0.02 males and 0.03 females. Divorced persons who have subsequently been remarried are, of course, recorded in the census as married.

Remarriage of Divorced Persons.- An interesting side light on the divorce question is afforded by the figures of divorced persons who remarried in the years 1926 to 1931, as shown in Table 3. The statistics indicate that the number of divorced persons remarrying is increasing pari passu with the number of divorces. Table 4 shows by provinces the number of divorced persons who remarried, 1927-31.

1. DIVORCES GRANTED IN CANADA 1913 - 1931

(Final Decrees)

Note.- In Prince Edward Island, one divorce was granted in 1913 and one in 1931. For notes on Ontario divorces, see page 6.

Year	Ont.	Que.	Alta.	Sask.	Man.	N.S.	N.B.	B.C.	Total for Canada
1913.....	20	4	4	1	6	-	4	20	60
1914.....	18	7	4	2	2	10	12	15	70
1915.....	10	3	3	1	1	13	6	16	53
1916.....	18	1	1	2	2	14	11	18	67
1917.....	10	4	2	1	-	8	6	23	54
1918.....	10	2	2	1	-	24	10	65	114
1919.....	49	4	36	3	88	36	13	147	376
1920.....	91	9	65	26	42	45	15	136	429
1921.....	101	9	84	50	122	41	13	128	548
1922.....	90	6	129	37	97	35	12	138	544
1923.....	105	11	87	41	81	22	19	139	505
1924.....	114	13	118	28	77	42	15	136	543
1925.....	121	13	101	42	79	30	15	150	551
1926.....	113	10	154	48	85	19	12	167	608
1927.....	182	13	148	60	102	29	17	197	748
1928.....	213	25	168	55	79	28	14	203	785
1929.....	208	30	147	69	89	30	21	222	816
1930.....	207	40	151	62	114	19	27	255	875
1931.....	82	39	154	51	94	36	20	208	684
1932.....	233	24	149	61	114	35	26	245	887

2. DIVORCES GRANTED IN CANADA, 1930 - 1932

BY PROVINCES AND SEX OF PLAINTIFF

(Final Decrees)

Provinces	To Husbands:			To Wives:			Total:		
	1930	1931	1932	1930	1931	1932	1930	1931	1932
P.E. Island.....	-	1	-	-	-	-	-	1	-
Nova Scotia.....	12	18	19	7	18	16	19	36	35
New Brunswick.....	16	8	14	11	12	12	27	20	26
Quebec.....	18	7	6	22	31	18	40	38	24
Ontario.....	78	41	104	129	41	129	207	82	233
Manitoba.....	46	40	39	68	54	75	114	94	119
Saskatchewan.....	34	24	28	28	27	33	62	51	61
Alberta.....	64	69	66	87	85	83	151	154	149
British Columbia...	96	81	90	159	127	155	255	208	245
Canada.....	364	289	366	511	395	521	875	684	887

3. DIVORCED PERSONS REMARRIED, BY SEX, 1926-31

Year	Males	Females
1926.....	484	512
1927.....	586	521
1928.....	749	739
1929.....	756	703
1930.....	759	668
1931.....	669	589

4. DIVORCED PERSONS REMARRIED, BY PROVINCES, 1927-31

Note.- The number of divorced men who married divorced women was 70 in 1926, 84 in 1927, 112 in 1928, 111 in 1929, 109 in 1930 and 101 in 1931.

	<u>1 9 2 7</u>		<u>1 9 2 8</u>		<u>1 9 2 9</u>		<u>1 9 3 0</u>		<u>1 9 3 1</u>	
	Males	Females	Males	Females	Males	Females	Males	Females	Males	Females
Prince Edward Is.	-	1	-	-	1	1	1	-	1	-
Nova Scotia.....	10	13	24	19	24	17	25	16	28	27
New Brunswick....	38	31	60	56	46	35	23	29	25	24
Quebec.....	41	29	45	50	52	37	66	49	68	52
Ontario.....	133	92	193	150	187	175	200	155	174	137
Manitoba.....	62	45	62	57	64	63	66	54	73	43
Saskatchewan.....	42	42	42	56	46	55	63	50	43	47
Alberta.....	84	82	122	123	118	90	101	108	102	107
British Columbia.	176	186	201	228	218	230	214	207	155	152
Total.....	586	521	749	739	756	703	759	668	669	589

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COMPARISONS WITH OTHER COUNTRIES

In Table 5 are given comparative figures of divorces and marriages in England and Wales, Australia, New Zealand and Canada for the years 1916 and subsequently. The percentage of divorces to marriages taking place in the same year, as here given, is seen in the case of England and Wales to have increased during these years from 0.35 p.c. to 1.21 p.c.; in Australia from 1.53 p.c. to 4.29 p.c.; in New Zealand from 2.41 p.c. to 6.02 p.c.; and in Canada from 0.1 p.c. to 1.03 p.c. Similar figures for the United States, where, of course, the total number of divorces is unusually large owing to the comparative ease with which they may be obtained, show increases from 27,919 in 1887 to 42,937 in 1896, 72,062 in 1906, 114,000 in 1916, 148,815 in 1922, 165,096 in 1923, 170,952 in 1924, 175,449 in 1925, 180,853 in 1926, 192,037 in 1927, 195,939 in 1928, 201,468 in 1929, falling to 191,591 in 1930 and 183,664 in 1931. The percentage of divorces to marriages increased from 10.6 to 17.3 during the years 1916 to 1931, divorces during this period increasing by 68.1 p.c. (In 1931 divorces granted to women in the United States constituted 72.8 p.c. of the total granted, as compared with 72.3 p.c. in 1930.)

5. NUMBER OF MARRIAGES AND DIVORCES IN ENGLAND AND WALES,
AUSTRALIA, NEW ZEALAND AND CANADA IN RECENT YEARS

	England and Wales		Australia		New Zealand		Canada	
	No. of Mar- riages	No. of Di- vorces	No. of Mar- riages	No. of Di- vorces	No. of Mar- riages	No. of Di- vorces	No. of Mar- riages	No. of Di- vorces
1916...	279,846	990	40,289	617	8,213	198	65,000*	67
1917...	258,855	703	33,666	652	6,417	219	60,000*	54
1918...	287,163	1,111	33,141	681	6,227	199	55,000*	114
1919...	369,411	1,654	40,540	879	9,519	336	70,000*	376
1920...	379,658	3,090	51,552	1,152	12,175	469	80,931	429
1921...	320,852	3,522	46,869	1,480	10,635	511	69,732	548
1922...	299,524	2,588	44,731	1,326	9,556	522	64,420	544
1923...	292,408	2,667	44,541	1,460	10,070	522	66,463	505
1924...	296,416	2,286	45,869	1,528	10,259	526	65,129	543
1925...	295,689	2,605	46,899	1,844	10,419	612	64,644	551
1926...	279,860	2,622	47,865	1,631	10,680	614	66,658	608
1927...	308,370	3,190	49,033	1,896	10,478	540	69,515	748
1928...	303,228	4,018	48,593	1,828	10,537	572	74,311	785
1929...	313,316	3,396	47,500	2,036	10,967	635	77,288	816
1930...	315,109	3,563	43,255	-	11,075	620	71,657	875
1931...	311,847	3,764	-	-	9,817	591	66,591	684

*Estimated.

JURISDICTION IN DIVORCE IN CANADA

English Legislation affecting Canadian Legislation.-

It was not until 1857, when the Divorce and Matrimonial Causes Act was passed in England, that a right to divorce was created in that country. Divorce as we now understand it had formerly the significance of judicial separation. By this Act of 1857, the Court of Divorce and Matrimonial Causes was created and all jurisdiction in matrimonial matters, formerly exercised by the Ecclesiastical Courts, was transferred to it by the Act.

The Divorce and Matrimonial Causes Act of 1857 had no force in the colonies of British North America before Confederation except in those colonies where such legislation had been enacted.

Canada.-

By Sec. 91 (26) of the British North America Act, the Dominion Parliament was granted jurisdiction over the matter of marriage and divorce, while by Sec. 92 (12) Provincial Legislatures were empowered to legislate upon the solemnization of marriage in their respective provinces.

The Dominion Parliament, however, from 1867 until 1924, had passed no Act granting the right to obtain divorce nor had any court with jurisdiction in divorce matters been created in the Dominion or in any province by Dominion Legislation. Matrimonial relief might, however, be obtained, and granted under authority of the B.N.A. Act, by petition to the Dominion Parliament through the Divorce Committee of the Senate.

The Dominion Parliament, by C. 41 of the Statutes of 1925, added a new and important provision to the Canadian law respecting divorce. The law in force until the passage of the Divorce Act, in so far as it concerned causes for divorce proceedings, had provided that, while a husband may obtain a divorce on grounds of adultery, it was necessary for a wife to prove both adultery and desertion. This anomaly has been removed, Sec. 2 of the Divorce Act stating "In any court having jurisdiction to grant divorce a vinculo matrimonii any wife may commence an action praying that her marriage may be dissolved on the ground that her husband has since the celebration thereof been guilty of adultery". The granting of a divorce in such cases, of course, is dependent on sufficient evidence that the wife has not been an accessory to or connived at such adultery or that the action is not prosecuted in collusion with the husband or the woman with whom he is alleged to have committed adultery. In addition "the court shall not be bound to pronounce such decree if it finds that the wife during the marriage has been guilty of adultery or.....of unreasonable delay or cruelty towards the husband or of having deserted or wilfully separated herself from the husband before the adultery complained of and without reasonable excuse or of such wilful neglect or misconduct as has conduced to the adultery".

In 1930, by C. 14 of the Statutes of that year, jurisdiction in divorce was conferred upon the Supreme Court of Ontario, and by C. 15, women, whose husbands had deserted them and removed from the jurisdiction of the courts of the province, were permitted to institute an action for divorce, after a lapse of two years, in the courts of the province in which they had continued to reside, upon any grounds which were already recognized by the courts of that province, provided that the husband was domiciled in the same province immediately prior to such desertion.

Nova Scotia and New Brunswick.-

By Sec. 129 of the B.N.A. Act, all laws in force in Canada, Nova Scotia and New Brunswick and all courts, etc. were to continue to exist in the provinces of Ontario, Quebec, Nova Scotia and New Brunswick after Confederation. The provinces of Nova Scotia and New Brunswick, therefore, having enacted legislation respecting divorce and possessing courts exercising jurisdiction over such matters before Confederation and having continued to exercise jurisdiction through courts of Divorce and Matrimonial Causes, are now in the same position as they were then. A court was established in Nova Scotia under C. 126 of the Revised Statutes (third series) of

Nova Scotia, 1864, as the Court of Marriage and Divorce, the name of which was changed by C. 13 of the Statutes of 1866 to the Court for Divorce, and Matrimonial Causes. The Court of Divorce and Matrimonial Causes in New Brunswick was likewise set up by an Act passed in 1860 (an Act to amend the Law relating to Divorce and Matrimonial Causes). (See R.S., N.B., 1903, C. 115.)

Prince Edward Island.-

In Prince Edward Island a court having jurisdiction in divorce was authorized by an Act of 1835 (5 Wm. IV, C. 10). This law has not been repealed since that time, but the power vested in the Governor and Executive Council to establish a divorce court has never been exercised. Persons living in Prince Edward Island, who are desirous of seeking dissolution of marriage, must do so by petition to the Dominion Parliament.

British Columbia.-

The colony of British Columbia acquired jurisdiction in matrimonial causes following a proclamation of the Governor giving force in the province to the civil and criminal law of England as it existed on Nov. 19, 1858. The province has continued to exercise jurisdiction over divorce through the courts established before Confederation. (See Rev. Statutes of B.C., 1924, C. 75).

Manitoba.-

The divorce law of England, as it existed on July 15, 1870, was introduced into Manitoba by an Act of the Dominion Parliament, 51 Vict., C. 33. The court of King's Bench of Manitoba has the same jurisdiction in divorce as the courts have in England under the Divorce and Matrimonial Causes Act, 1857.

Alberta and Saskatchewan.-

The Dominion Parliament, by 49 Vict. C. 25, enacted that the laws of England as existing on July 15, 1870, should be in force in the Northwest Territories. In 1918 the Appellate Division of the Supreme Court of Alberta held that the effect of the above Act and of legislation passed creating the province was to make the Divorce and Matrimonial Causes Act of 1857 and amendments up to July 15, 1870 apply to the province of Alberta. This decision was confirmed on appeal to the Imperial Privy Council. Subsequent judgments by the Saskatchewan Court of Appeal held that the English law as it existed on July 15, 1870, had force in the province and that the rights conferred under it might be enforced by the Court of King's Bench. The provinces of Alberta and Saskatchewan, therefore, are in the same position in the matter of jurisdiction over divorce.

Quebec.-

In Quebec it is considered that the courts have no jurisdiction to entertain an application for divorce, but they have assumed power, not to dissolve but, in some cases, to annul marriage or to entertain petitions for separations. Persons seeking divorce in Quebec must do so by petition to the Dominion Parliament.

Ontario.-

In Ontario it was formerly the practice for applicants for divorce to apply to the Dominion Parliament, in the same manner as persons domiciled in Quebec and Prince Edward Island, but by C. 14 of the Statutes of 1930, jurisdiction was conferred upon the Supreme Court of Ontario to grant decrees of divorce in accordance with the English law as existing on July 15, 1870.

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DIVORCES GRANTED IN CANADA

in

1933

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1934

DOMINION BUREAU OF STATISTICS
GENERAL STATISTICS BRANCH
OTTAWA

Dominion Statistician:	R. H. Coats, B.A., F.S.S. (Hon.), F.R.S.C.
Chief, General Statistics Branch:	S. A. Cudmore, M.A., F.S.S.

DIVORCES IN CANADA, 1933

There were 923 divorces granted in Canada in the calendar year 1933, 899 being granted by the courts of seven provinces, while 24 were granted by the Dominion Parliament. These latter have been allotted to provinces according to the domicile of the petitioner, 23 being granted to applicants residing in the province of Quebec and one to a wife residing in Ontario whose husband was a resident of Quebec.

As compared with 1932 there was a decrease of 72 divorces, or 7.2 per cent. Ontario recorded 304 as against the revised figure of 341 for the previous year. British Columbia and Manitoba also showed slight increases, while in each of the other provinces there was a decline. Table 1 shows the divorces granted, by provinces, in each of the twenty-one years from 1913 to 1933.

The Sex of Applicants for Divorces.— Up till 1924, Canada's divorce statistics differed from those of most other countries in that they showed that a majority of the divorces granted were on the petition of the husband. In 1924 wives obtained 51.2 p.c. of the decrees granted, but in 1925 husbands were again in the majority of the successful petitioners with 50.6 p.c. In 1926 wives received relief in 52.0 p.c., in 1927 in 52.6 p.c. and in 1928 in 52.0 p.c. of the cases adjudged, this condition being possibly due in part to the passing of the Divorce Act, 1925, which removed certain anomalies which formerly operated to the prejudice of wives. In 1929 and 1930 wives received relief in 53.9 p.c. and 58.4 p.c., respectively, of the cases adjudged, while in 1931 the proportion dropped to 57.7 p.c., rising in 1932 and 1933 to 58.7 p.c. and 58.9 p.c., respectively (see Table 2). A comparison of Canadian divorce statistics with those of New Zealand and the United States shows that of the decrees granted in the former country from 1928 to 1932, wives received 52.8, 57.3, 56.3, 58.0 and 55.7 p.c., respectively, while figures for the latter country for the six year period from 1926 to 1931 show the decisions granted to wives as being 69.9, 70.5, 71.0, 71.4, 72.3 and 72.8 p.c. of the total respectively. In the United States, the proportion of two divorces granted to wives to one granted to husbands remained fairly constant from 1889 to 1923, but is now being replaced by a higher ratio of about five to two.

Proportion of Divorced Persons in the Population.— At the 1931 census, there were enumerated 4,049 divorced males and 3,392 divorced females in the Dominion, or 0.08 p.c. and 0.07 p.c. of each sex respectively, while in 1921 the figures recorded were 3,670 and 3,731 or 0.08 p.c. and 0.09 p.c., respectively. As among the nine provinces, British Columbia showed the highest percentage of divorced persons in the population with 0.24 p.c. of each sex, while Quebec showed the lowest percentage with 0.02 males and 0.03 females. Divorced persons who have subsequently been remarried are, of course, recorded in the census as married.

Remarriage of Divorced Persons.— An interesting side light on the divorce question is afforded by the figures of divorced persons who remarried in the years 1926 to 1932, as shown in Table 3. The statistics indicate that the number of divorced persons remarrying is increasing pari passu with the number of divorces. Table 4 shows by provinces the number of divorced persons who remarried in the five years 1928-32.

1. DIVORCES GRANTED IN CANADA, 1913 - 1933

(Final Decrees)

Note.- In Prince Edward Island, one divorce was granted in 1913 and one in 1931.

	Ont.	Que.	Alta.	Sask.	Man.	N.S.	N.B.	B.C.	Total for Canada
1913.....	20	4	4	1	6	-	4	20	60
1914.....	18	7	4	2	2	10	12	15	70
1915.....	10	3	3	1	1	13	6	16	53
1916.....	18	1	1	2	2	14	11	18	67
1917.....	10	4	2	1	-	8	6	23	54
1918.....	10	2	2	1	-	24	10	65	114
1919.....	49	4	36	3	88	36	13	147	376
1920.....	91	9	65	26	42	45	15	136	429
1921.....	101	9	84	50	122	41	13	128	548
1922.....	90	6	129	37	97	35	12	138	544
1923.....	105	11	87	41	81	22	19	139	505
1924.....	114	13	118	28	77	42	15	136	543
1925.....	121	13	101	42	79	30	15	150	551
1926.....	113	10	154	48	85	19	12	167	608
1927.....	182	13	148	60	102	29	17	197	748
1928.....	213	25	168	55	79	28	14	203	785
1929.....	208	30	147	69	89	30	21	222	816
1930.....	207	40	151	62	114	19	27	255	875
1931.....	90*	39	154	51	94	36	20	208	692*
1932.....	341*	24	149	61	114	35	26	245	995*
1933.....	304	23	135	48	116	27	12	258	923

2. DIVORCES GRANTED IN CANADA, 1931 - 1933, BY PROVINCES
AND SEX OF PLAINTIFF

(Final Decrees)

Provinces	To Husbands:			To Wives:			Total:		
	1931	1932	1933	1931	1932	1933	1931	1932	1933
P.E. Island.....	1	-	-	-	-	-	1	-	-
Nova Scotia.....	18	19	10	18	16	17	36	35	27
New Brunswick.....	8	14	10	12	12	2	20	26	12
Quebec.....	7	6	9	31	18	14	38	24	23
Ontario.....	45*	166*	125	45*	175*	179	90*	341*	304
Manitoba.....	40	39	39	54	75	77	94	114	116
Saskatchewan.....	24	28	23	27	35	25	51	61	48
Alberta.....	69	66	56	85	83	79	154	149	135
British Columbia..	81	90	82	127	155	176	208	245	258
Canada.....	293*	428*	354	399*	547*	569	692*	995*	923

*Revised figures.

3. DIVORCED PERSONS REMARRIED, BY SEX, 1926 - 32

Year	Males	Females
1926.....	484	512
1927.....	586	521
1928.....	749	739
1929.....	756	703
1930.....	759	668
1931.....	669	589
1932.....	661	579

4. DIVORCED PERSONS REMARRIED, BY PROVINCES, 1928 - 32

Note.- The number of divorced men who married divorced women was 112 in 1928, 111 in 1929, 109 in 1930, 101 in 1931 and 73 in 1932.

	<u>1 9 2 8</u>		<u>1 9 2 9</u>		<u>1 9 3 0</u>		<u>1 9 3 1</u>		<u>1 9 3 2</u>	
	Males	Females	Males	Females	Males	Females	Males	Females	Males	Females
Prince Edward Is.	-	--	1	1	1	-	1	-	1	-
Nova Scotia.....	24	19	24	17	25	16	28	27	20	24
New Brunswick....	60	56	46	35	23	29	25	24	25	17
Quebec.....	45	56	52	37	66	49	68	52	69	44
Ontario.....	193	150	187	175	200	155	174	137	198	154
Manitoba.....	62	57	64	63	66	54	73	43	59	51
Saskatchewan.....	42	56	46	55	63	50	43	47	53	35
Alberta.....	122	123	118	90	101	108	102	107	88	103
British Columbia.	201	228	218	230	214	207	155	152	148	151
Total.....	749	739	756	703	759	668	669	589	661	579

Of the 303 divorces granted in 1933 by the Ontario courts,* the parties in 63 cases were married outside the province, while in 8 cases the marriages were reported to have taken place in Ontario, but were not recorded in the office of the Registrar General. The remaining 232 cases have been analysed as to age by the Registrar General's Office and the resulting table is republished here as Table 5, through the kind permission of that Department, on account of its general bearing on the question of how far disparity of ages between husbands and wives is a predisposing element in bringing about divorce.

*One divorce was granted by Parliament to an Ontario petitioner.

5. AGES OF THE PARTIES TO 232 DIVORCES GRANTED IN ONTARIO, 1933.

Ages of Men	NO. of Men	Ages of Women																							45 and over		
		20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42		43	44
21	1		1																								
22	2	1		1																							
23	-																										
24	1				1																						
25	11				5	4	1	1																			
26	12	1	1		2	1	1	6		1																	
27	10	1		2	3	1	1	1	1																		
28	9		1			1	1	1	2	1		1	1														
29	17		1			1	1	4	3	3	1	1			1												
30	10					1	2	2			1	2			2												
31	8								1	2	1	1	3														
32	9		1		1		1			1	1	1	2	2	3		1										
33	17								2		1	6		2			1										
34	13							1	2	1	1	3	1	1		2	2										
35	5							1			1	2	1														
36	14		1			1		1				2	1		5				1								
37	6							1							2	1	1										
38	5		1									1			2	1	1		1							1	
39	8															1	1	2	3		1	2					
40	12								1				2		1	1	1	1	2	1	2						
41	13													2	1		1	1	2	2	3	1	1				
42	5											1						1					1				
43	3																	1						1			
44	7														1		2				3				1		
45	6											1				1		1					1		1		
46	4									1			1										1			1	1
47	-																										
48	5											1										1					3
49	5																1				1						2
50	2																				1						1
51	2																					1					2
52	2																							1			1
53	1											1															1
54	1																										1
55	1																										1
56	2																1										1
57	-																										
58	1																										1
59	-																										1
60	1																										1
61	1																										1
Total	232	3	7	3	10	10	8	19	10	11	10	13	21	7	16	5	15	5	8	7	8	9	2	2	4	4	15

COMPARISONS WITH OTHER COUNTRIES

In Table 6 are given comparative figures of divorces and marriages in England and Wales, Australia, New Zealand and Canada for the years 1916 and subsequently. The percentage of divorces to marriages taking place in the same year, as here given, is seen in the case of England and Wales to have increased during these years from 0.35 p.c. to 1.27 p.c.; in Australia from 1.53 p.c. to 4.12 p.c.; in New Zealand from 2.41 p.c. to 6.18 p.c.; and in Canada from 0.1 p.c. to 1.57 p.c. Similar figures for the United States, where, of course, the total number of divorces is unusually large owing to the comparative ease with which they may be obtained, show increases from 27,919 in 1887 to 42,937 in 1896, 72,062 in 1906, 114,000 in 1916, 148,815 in 1922, 165,096 in 1923, 170,952 in 1924, 175,449 in 1925, 180,853 in 1926, 192,037 in 1927, 195,939 in 1928, 201,468 in 1929, falling to 191,591 in 1930, 183,664 in 1931 and 160,329 in 1932. The percentage of divorces to marriages increased from 10.6 to 16.3 during the years 1916 to 1932, divorces during this period increasing by 40.64 p.c. (In 1931 divorces granted to women in the United States constituted 72.8 p.c. of the total granted, as compared with 72.3 p.c. in 1930.)

6. NUMBER OF MARRIAGES AND DIVORCES IN ENGLAND AND WALES,
AUSTRALIA, NEW ZEALAND AND CANADA IN RECENT YEARS

	England and Wales		Australia		New Zealand		Canada	
	No. of Mar- riages	No. of Di- vorces	No. of Mar- riages	No. of Di- vorces	No. of Mar- riages	No. of Di- vorces	No. of Mar- riages	No. of Di- vorces
1916...	279,846	990	40,289	617	8,213	198	65,000*	67
1917...	258,855	703	33,666	652	6,417	219	60,000*	54
1918...	287,163	1,111	33,141	681	6,227	199	55,000*	114
1919...	369,411	1,654	40,540	879	9,519	336	70,000*	376
1920...	379,658	3,090	51,552	1,152	12,175	469	80,931	429
1921...	320,852	3,522	46,869	1,480	10,635	511	69,732	548
1922...	299,524	2,588	44,731	1,326	9,556	522	64,420	544
1923...	292,408	2,667	44,541	1,460	10,070	522	66,463	505
1924...	296,416	2,286	45,869	1,528	10,259	526	65,129	543
1925...	295,689	2,605	46,899	1,844	10,419	612	64,644	551
1926...	279,860	2,622	47,865	1,632	10,680	614	66,658	608
1927...	308,370	3,190	49,033	1,899	10,478	540	69,515	748
1928...	303,228	4,018	48,593	1,829	10,537	572	74,311	785
1929...	313,316	3,396	47,500	2,036	10,967	635	77,288	816
1930...	315,109	3,563	43,255	1,783	11,075	620	71,657	875
1931...	311,847	3,764	38,882	-	9,817	591	66,591	684
1932...	307,184	3,894	43,634	-	9,896	612	62,531	995

*Estimated.

Table 7, taken from the German official publication, Wirtschaft und Statistik, shows the number of divorces in many countries, together with their ratios to population in recent years, as compared with their ratio to population in the pre-war year 1913. In most countries there has been a striking increase in divorce in the last twenty years.

7. DIVORCES IN CERTAIN COUNTRIES, 1930-1932, AND RATIO TO POPULATION, 1913 AND 1930-1932

Country	No. of Divorces			Divorces per 100,000 Population			
	1930	1931	1932	1913	1930	1931	1932
United States.....	191,591	183,664	160,329	-	155.5	148.0	128.4
Austria ^{2/}	6,573	6,730	-	11.4 ^{1/}	97.9	100.0	-
Japan.....	51,259	50,609	-	113.3	79.5	77.4	-
Latvia.....	1,450	1,425	-	-	76.3	74.4	-
Switzerland ^{3/}	2,738	2,871	-	41.8	67.5	70.4	-
Esthonia.....	697	711	-	-	62.5	63.6	-
Germany.....	40,722	39,971	41,922	27.9	63.3	61.8	65.0
Danzig.....	238	242	240	-	59.6	60.0	59.1
Union of South Africa (Whites)...	1,034	963	987	18.9	57.5	52.7	53.1
France.....	20,367	21,212	21,848	37.7	48.9	50.7	52.1
Hungary ^{2/}	5,495	4,357	-	-	63.6	50.0	-
Yugoslavia.....	5,826	6,393	-	-	42.3	45.7	-
New Zealand.....	620	591	612	-	41.6	40.9	42.1
Luxemburg.....	95	122	-	9.6	31.7	40.5	-
Czechoslovakia.....	5,697	5,945	-	-	38.8	40.2	-
Saar.....	252	322	-	-	31.5	39.5	-
Denmark.....	2,300	2,472	-	28.3	64.9	39.3	-
Roumania.....	6,727	7,063	7,370	44.1	37.6	38.9	40.0
Sweden.....	2,218	2,346	2,352	13.7	36.2	38.1	38.1
Holland.....	2,851	3,007	-	18.1	36.2	37.7	-
Belgium.....	2,491	2,531	2,522	15.9	30.8	31.1	30.8
Norway.....	839	855	876	20.5	29.9	30.3	30.9
Finland.....	780	1,070	-	8.5	21.4	29.1	-
Scotland.....	469	569	-	5.3	9.7	11.7	-
England and Wales..	3,563	3,764	-	1.6	9.0	9.4	-
CANADA.....	875	692	995	0.8	8.6	9.3	9.4

1/ Previous area.

2/ Including judicial separations and annulments.

3/ Including annulments.

84-D-20

C A N A D A

DEPARTMENT OF TRADE AND COMMERCE

DOMINION BUREAU OF STATISTICS

GENERAL STATISTICS BRANCH

DIVORCES GRANTED IN CANADA

in

1934

Published by Authority of the Hon. R.B. HANSON, K.C., M.P.,
Minister of Trade and Commerce.

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OTTAWA

1935

DOMINION BUREAU OF STATISTICS
GENERAL STATISTICS BRANCH
OTTAWA

Dominion Statistician:	R. H. Coats, LL.D., F.R.S.C., F.S.S.(Hon.)
Chief, General Statistics Branch:	S. A. Cudmore, M.A., F.S.S.

DIVORCES IN CANADA, 1934

There were 1,106 divorces granted in Canada in the calendar year 1934, 1,068 being granted by the courts of seven provinces, while 38 were granted by the Dominion Parliament. These latter have been allotted to provinces according to the domicile of the petitioner, 36 being granted to applicants residing in the province of Quebec and two to wives residing in Ontario whose husbands were residents of Quebec.

As compared with 1933 there was an increase of 183 divorces, or 19.8 per cent. Ontario recorded 358 as against 304 for the previous year. All the other provinces also showed increases. Table 1 shows the divorces granted, by provinces, in each of the twenty-two years from 1913 to 1934.

The Sex of Applicants for Divorces.— Up till 1924, Canada's divorce statistics differed from those of most other countries in that they showed that a majority of the divorces granted were on the petition of the husband. In 1924 wives obtained 51.2 p.c. of the decrees granted, but in 1925 husbands were again in the majority of the successful petitioners with 50.6 p.c. In 1926 wives received relief in 52.0 p.c., in 1927 in 52.6 p.c. and in 1928 in 52.0 p.c. of the cases adjudged, this condition being possibly due in part to the passing of the Divorce Act, 1925, which removed certain anomalies which formerly operated to the prejudice of wives. In 1929 and 1930 wives received relief in 53.9 p.c. and 58.4 p.c., respectively, of the cases adjudged, while in 1931 the proportion dropped to 57.7 p.c., rising in 1932 and 1933 to 58.7 p.c. and 58.9 p.c., respectively and reaching a new high point in 1934 at 68.5 p.c. (see Table 2). A comparison of Canadian divorce statistics with those of New Zealand and the United States shows that of the decrees granted in the former country from 1928 to 1933, wives received 52.8, 57.3, 56.3, 58.0, 55.7 and 56.5 p.c., respectively, while figures for the latter country for the six year period from 1927 to 1932 show the decisions granted to wives as being 70.5, 71.0, 71.4, 72.3, 72.8 and 73.5 p.c. of the total respectively. In the United States, the proportion of two divorces granted to wives to one granted to husbands remained fairly constant from 1889 to 1923, but is now being replaced by a higher ratio of about five to two.

Proportion of Divorced Persons in the Population.— At the 1931 census, there were enumerated 4,049 divorced males and 3,392 divorced females in the Dominion, or 0.08 p.c. and 0.07 p.c. of each sex respectively, while in 1921 the figures recorded were 3,670 and 3,731 or 0.08 p.c. and 0.09 p.c., respectively. As among the nine provinces, British Columbia showed the highest percentage of divorced persons in the population with 0.24 p.c. of each sex, while Quebec showed the lowest percentage with 0.02 males and 0.03 females. Divorced persons who have subsequently been remarried are, of course, recorded in the census as married.

Remarriage of Divorced Persons.— An interesting side light on the divorce question is afforded by the figures of divorced persons who remarried in the years 1926 to 1933, as shown in Table 3. The statistics indicate that the number of divorced persons remarrying is increasing *pari passu* with the number of divorces. Table 4 shows by provinces the number of divorced persons who remarried in the five years 1929-1933.

1. DIVORCES GRANTED IN CANADA, 1913 - 1934

(Final Decrees)

Note.- In Prince Edward Island, one divorce was granted in 1913 and one in 1931.

	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.	Total for Canada
1913	-	4	4	20	6	1	4	20	60
1914	10	12	7	18	2	2	4	15	70
1915	13	6	3	10	1	1	3	16	53
1916	14	11	1	18	2	2	1	18	67
1917	8	6	4	10	-	1	2	23	54
1918	24	10	2	10	-	1	2	65	114
1919	36	13	4	49	88	3	36	147	376
1920	45	15	9	91	42	26	65	136	429
1921	41	13	9	101	122	50	84	128	548
1922	35	12	6	90	97	37	129	138	544
1923	22	19	11	105	81	41	87	139	505
1924	42	15	13	114	77	28	118	136	543
1925	30	15	13	121	79	42	101	150	551
1926	19	12	10	113	85	48	154	167	608
1927	29	17	13	182	102	60	148	197	748
1928	28	14	25	213	79	55	168	203	785
1929	30	21	30	208	89	69	147	222	816
1930	19	27	40	207	114	62	151	255	875
1931	36	20	39	90	94	51	154	208	692
1932	35	26	24	341	114	61	149	245	995
1933	27	12	23	304	116	48	135	258	923
1934	33	17	36	358	126	62	168	306	1,106

2. DIVORCES GRANTED IN CANADA, 1932 - 1934, BY PROVINCES
AND SEX OF PLAINTIFF

(Final Decrees)

Provinces	To Husbands:			To Wives:			Total		
	1932	1933	1934	1932	1933	1934	1932	1933	1934
P.E. Island	-	-	-	-	-	-	-	-	-
Nova Scotia	19	10	10	16	17	23	35	27	33
New Brunswick	14	10	8	12	2	9	26	12	17
Quebec	6	9	7	18	14	29	24	23	36
Ontario	166	125	104	175	179	254+	341	304	358+
Manitoba	39	39	38	75	77	88	114	116	126
Saskatchewan	28	23	23	33	25	39	61	48	62
Alberta	66	56	62	83	79	106	149	135	168
British Columbia ..	90	82	96	155	176	210	245	258	306
Canada	428	354	348	567	569	758	995	923	1,106

+ Two granted by Dominion Parliament.

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3. DIVORCED PERSONS REMARRIED, BY SEX, 1926 - 33.

Year	Males	Females
1926	484	512
1927	586	521
1928	749	739
1929	756	703
1930	759	668
1931	669	589
1932	661	579
1933	654	606

4. DIVORCED PERSONS REMARRIED, BY PROVINCES, 1929 - 33.

Note.— The number of divorced men who married divorced women was 111 in 1929, 109 in 1930, 101 in 1931, 73 in 1932 and 63 in 1933.

	<u>1 9 2 9</u>		<u>1 9 3 0</u>		<u>1 9 3 1</u>		<u>1 9 3 2</u>		<u>1 9 3 3</u>	
	Males	Females	Males	Females	Males	Females	Males	Females	Males	Females
Prince Edward Is.	1	1	1	-	1	-	1	-	4	-
Nova Scotia	24	17	25	16	28	27	20	24	22	25
New Brunswick ...	46	35	23	29	25	24	25	17	22	18
Quebec	52	37	66	49	68	52	69	44	50	43
Ontario	187	175	200	155	174	137	198	154	213	177
Manitoba	64	63	66	54	73	43	59	51	67	62
Saskatchewan	46	55	63	50	43	47	53	35	41	29
Alberta	118	90	101	108	102	107	88	103	88	101
British Columbia.	218	230	214	207	155	152	148	151	147	151
Total	756	703	759	668	669	589	661	579	654	606

Of the 356 divorces granted in 1934 by the Ontario courts,⁺ the parties in 61 cases were married outside the province. The remaining 295 cases have been analysed as to age by the Registrar General's Office and the resulting table is republished here as Table 5, through the kind permission of that Department, on account of its general bearing on the question of how far disparity of ages between husbands and wives is a predisposing element in bring about divorce.

⁺ Two divorces were granted by Parliament to Ontario petitioners.

62

$\frac{1}{\sqrt{\pi}} \int_{-\infty}^{\infty} f(x) e^{-x^2} dx = \frac{1}{\sqrt{\pi}} \int_{-\infty}^{\infty} f(x) e^{-x^2} dx$

100

100

1. The *Journal of the American Medical Association* (JAMA) is a leading medical journal. It is published weekly and contains a wide range of medical research and clinical information. The JAMA is published by the American Medical Association (AMA).

● ● ●

• *Journal of the American Medical Association*, 2000; 284: 2539-2542.

5. AGES OF THE PARTIES TO 295 DIVORCES GRANTED IN ONTARIO, 1934.

Ages of Women

Ages of Total Men Men	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45 and over
21	1	1																								
22	1		1																							
23	2																									
24	3				1		2																			
25	3				2	3	1	1																		
26	1		3	2	1	4	3	1																		
27			1	3	3	2	2		2	1	1	2														
28				1	1	2	2		1	2	1	2	1													
29						1		1	1	3	3	2	2													
30			1			1			5	6	3	3	2													
31								3	2	6	3	2	5													
32							1	1	2		1	3	3	1	1											
33								1	2		1	3	3	2	4											
34									1	2	1	2	5	1	2											
35					1			1	2		2	5	2	4	2	1	1									
36								2		1	2	2	4	1	2	1	1	1								
37											2	4	4	2	2	2	4	1	1							
38							1		1		1	1	1	2	1	1	1	1	2							
39												2	2	2	1				2							
40																1	1	1	1	2						
41																					2	1				
42												1									1	1				
43																					1	1	1			
44																										
45																										
46																										
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64																										
Total 295	1	9	7	10	8	13	10	11	18	20	19	21	17	16	10	11	12	11	7	5	10	4	8	4	8	25

1871

1872

1873

1874

1875

1876

1877

1878

1879

1880

1881

COMPARISONS WITH OTHER COUNTRIES

In Table 6 are given comparative figures of divorces and marriages in England and Wales, Australia, New Zealand and Canada for the years 1916 and subsequently. The percentage of divorces to marriages taking place in the same year, as here given, is seen in the case of England and Wales to have increased during these years from 0.35 p.c. to 1.27 p.c.; in Australia from 1.53 p.c. to 4.98 p.c.; in New Zealand from 2.41 p.c. to 6.17 p.c.; and in Canada from 0.1 p.c. to 1.45 p.c. Similar figures for the United States, where, of course, the total number of divorces is unusually large owing to the comparative ease with which they may be obtained, show increases from 27,919 in 1887 to 42,937 in 1896, 72,062 in 1906, 114,000 in 1916, 148,815 in 1922, 165,096 in 1923, 170,952 in 1924, 175,449 in 1925, 180,853 in 1926, 192,037 in 1927, 195,939 in 1928, 201,468 in 1929, falling to 191,591 in 1930, 183,664 in 1931 and 160,338 in 1932. The percentage of divorces to marriages increased from 10.6 to 16.3 during the years 1916 to 1932, divorces during this period increasing by 40.64 p.c. (In 1932 divorces granted to women in the United States constituted 73.5 p.c. of the total granted, as compared with 72.8 p.c. in 1931).

6. NUMBER OF MARRIAGES AND DIVORCES IN ENGLAND AND WALES,
AUSTRALIA, NEW ZEALAND AND CANADA IN RECENT YEARS

England and Wales		Australia		New Zealand		Canada	
No. of Mar- riages	No. of Di- vorces	No. of Mar- riages	No. of Di- vorces	No. of Mar- riages	No. of Di- vorces	No. of Mar- riages	No. of Di- vorces
1916 279,846	990	40,289	617	8,213	198	65,000+	67
1917 258,855	703	33,666	652	6,417	219	60,000+	54
1918 287,163	1,111	33,141	681	6,227	199	55,000+	114
1919 369,411	1,654	40,540	879	9,519	336	70,000+	376
1920 379,658	3,090	51,552	1,152	12,175	469	80,931	429
1921 320,852	3,522	46,869	1,480	10,635	511	69,732	548
1922 299,524	2,588	44,731	1,326	9,556	522	64,420	544
1923 292,408	2,667	44,541	1,460	10,070	522	66,463	505
1924 296,416	2,286	45,869	1,528	10,259	526	65,129	543
1925 295,689	2,605	46,899	1,844	10,419	612	64,644	551
1926 279,860	2,622	47,865	1,632	10,680	614	66,658	608
1927 308,370	3,190	49,033	1,899	10,478	540	69,515	748
1928 303,228	4,018	48,593	1,829	10,537	572	74,311	785
1929 313,316	3,396	47,500	2,036	10,967	635	77,288	816
1930 315,309	3,563	43,255	1,783	11,075	620	71,657	875
1931 311,847	3,764	38,882	1,938	9,817	591	66,591	684
1932 307,184	3,894	43,634	-	9,896	612	62,531	995
1933 318,191	4,042	46,595	-	10,510	648	63,865	923

+ Estimated.

84-D-20

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DEPARTMENT OF TRADE AND COMMERCE

DOMINION BUREAU OF STATISTICS

GENERAL STATISTICS BRANCH

DIVORCES GRANTED IN CANADA

in

1935

Published by Authority of the Hon. W.D. Euler, M.P.,
Minister of Trade and Commerce.

OTTAWA

1936

DOMINION BUREAU OF STATISTICS
GENERAL STATISTICS BRANCH
OTTAWA

DIVORCES IN CANADA, 1935

There were 1,376 divorces granted in Canada in the calendar year 1935, 1,346 being granted by the courts of seven provinces, while 30 were granted by the Dominion Parliament. These latter have been allotted to provinces according to the domicile of the petitioner, 27 being granted to applicants residing in the province of Quebec and three to wives residing in Ontario whose husbands were residents of Quebec.

As compared with 1934 there was an increase of 270 divorces, or 24.4 per cent. Ontario recorded 463 as against 358 for the previous year. All the other provinces, except Quebec and Saskatchewan, also showed increases. Table 1 shows the divorces granted, by provinces, in each of the twenty-three years from 1913 to 1935.

The Sex of Applicants for Divorces.- Up till 1924, Canada's divorce statistics differed from those of most other countries in that they showed that a majority of the divorces granted were on the petition of the husband. In 1924 wives obtained 51.2 p.c. of the decrees granted, but in 1925 husbands were again in the majority of the successful petitioners with 50.6 p.c. In 1926 wives received relief in 52.0 p.c., in 1927 in 52.6 p.c. and in 1928 in 52.0 p.c. of the cases adjudged, this condition being possibly due in part to the passing of the Divorce Act, 1925, which removed certain anomalies which formerly operated to the prejudice of wives. In 1929 and 1930 wives received relief in 53.9 p.c. and 58.4 p.c., respectively, of the cases adjudged, while in 1931 the proportion dropped to 57.7 p.c., rising in 1932 and 1933 to 58.7 p.c. and 58.9 p.c., respectively and reaching a new high point in 1934 at 68.5 p.c. In 1935 the proportion dropped to 61.6 p.c. (see Table 2). A comparison of Canadian divorce statistics with those of New Zealand and the United States shows that of the decrees granted in the former country from 1928 to 1934, wives received 52.8, 57.3, 56.3, 58.0, 55.7, 56.5 and 56.5 p.c., respectively, while figures for the latter country for the six year period from 1927 to 1932 show the decisions granted to wives as being 70.5, 71.0, 71.4, 72.3, 72.8 and 73.5 p.c. of the total respectively. In the United States, the proportion of two divorces granted to wives to one granted to husbands remained fairly constant from 1889 to 1923, but is now being replaced by a higher ratio of about five to two.

Proportion of Divorced Persons in the Population.- At the 1931 census, there were enumerated 4,049 divorced males and 3,392 divorced females in the Dominion, or 0.08 p.c. and 0.07 p.c. of each sex respectively, while in 1921 the figures recorded were 3,670 and 3,731 or 0.08 p.c. and 0.09 p.c., respectively. As among the nine provinces, British Columbia showed the highest percentage of divorced persons in the population with 0.24 p.c. of each sex, while Quebec showed the lowest percentage with 0.02 males and 0.03 females. Divorced persons who have subsequently been remarried are, of course, recorded in the census as married.

Remarriage of Divorced Persons.- An interesting side light on the divorce question is afforded by the figures of divorced persons who remarried in the years 1926 to 1934, as shown in Table 3. The statistics indicate that the number of divorced persons remarrying is increasing pari passu with the number of divorces. Table 4 shows by provinces the number of divorced persons who remarried in the five years 1930 to 1934.

1. DIVORCES GRANTED IN CANADA, 1913 - 1935

(Final Decrees)

Note.- In Prince Edward Island, one divorce was granted in 1913 and one in 1931.

	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.	Total for Canada
1913.....	-	4	4	20	6	1	4	20	60
1914.....	10	12	7	18	2	2	4	15	70
1915.....	13	6	3	10	1	1	3	16	53
1916.....	14	11	1	18	2	2	1	18	67
1917.....	8	6	4	10	-	1	2	23	54
1918.....	24	10	2	10	-	1	2	65	114
1919.....	36	13	4	49	88	3	36	147	376
1920.....	45	15	9	91	42	26	65	136	429
1921.....	41	13	9	101	122	50	84	128	548
1922.....	35	12	6	90	97	37	129	138	544
1923.....	22	19	11	105	81	41	87	139	505
1924.....	42	15	13	114	77	28	118	136	543
1925.....	30	15	13	121	79	42	101	150	551
1926.....	19	12	10	113	85	48	154	167	608
1927.....	29	17	13	182	102	60	148	197	748
1928.....	28	14	25	213	79	55	168	203	785
1929.....	30	21	30	208	89	69	147	222	816
1930.....	19	27	40	207	114	62	151	255	875
1931.....	36	20	39	90	94	51	154	208	692
1932.....	35	26	24	341	114	61	149	245	995
1933.....	27	12	23	304	116	48	135	258	923
1934.....	33	17	36	358	126	62	168	306	1,106
1935.....	52	36	27	463	145	60	209	384	1,376

2. DIVORCES GRANTED IN CANADA, 1933 - 1935, BY PROVINCES
AND SEX OF PLAINTIFF

(Final Decrees)

Provinces	To Husbands			To Wives			Total		
	1933	1934	1935	1933	1934	1935	1933	1934	1935
P.E.I. ...	-	-	-	-	-	-	-	-	-
N.S.	10	10	21	17	23	31	27	33	52
N.B.	10	8	16	9	20	12	17	17	36
Que.	9	7	6	14	29	21	23	36	27
Ont.	125	104	167	179	254*	296**	304	358*	463**
Man.	39	38	76	77	88	69	116	126	145
Sask. ...	23	23	26	25	39	34	48	62	60
Alta. ...	56	62	74	79	106	135	135	168	209
B.C.	82	96	143	176	210	241	258	306	384
CANADA...	354	348	529	569	758	847	923	1,106	1,376

*Two granted by Dominion Parliament.

**Three granted by Dominion Parliament.

3. DIVORCED PERSONS REMARRIED, BY SEX, 1926 - 34

Year	Males	Females
1926.....	484	512
1927.....	586	521
1928.....	749	739
1929.....	756	703
1930.....	759	668
1931.....	669	589
1932.....	661	579
1933.....	654	606
1934.....	741	660

4. DIVORCED PERSONS REMARRIED, BY PROVINCES, 1930 - 34

Note.- The number of divorced men who married divorced women was 109 in 1930, 101 in 1931, 73 in 1932, 63 in 1933 and 85 in 1934.

	<u>1 9 3 0</u>		<u>1 9 3 1</u>		<u>1 9 3 2</u>		<u>1 9 3 3</u>		<u>1 9 3 4</u>	
	Males	Females	Males	Females	Males	Females	Males	Females	Males	Females
P.E.I.	1	-	1	-	1	-	4	-	-	1
N.S.	25	16	28	27	20	24	22	25	37	24
N.B.	23	29	25	24	25	17	22	18	38	23
Que.	66	49	68	52	69	44	50	43	47	43
Ont.	200	155	174	137	198	154	213	177	249	186
Man.	66	54	73	43	59	51	67	62	55	56
Sask.	63	50	43	47	53	35	41	29	39	32
Alta.	101	108	102	107	88	103	88	101	94	103
B.C.	214	207	155	152	148	151	147	151	182	192
Total...	759	668	669	589	661	579	654	606	741	660

COMPARISONS WITH OTHER COUNTRIES

In Table 5 are given comparative figures of divorces and marriages in England and Wales, Australia, New Zealand and Canada for the years 1916 and subsequently. The percentage of divorces to marriages taking place in the same year, as here given, is seen in the case of England and Wales to have increased during these years from 0.35 p.c. to 1.25 p.c.; in Australia from 1.53 p.c. to 3.90 p.c.; in New Zealand from 2.41 p.c. to 6.07 p.c.; and in Canada from 0.1 p.c. to 1.51 p.c. Similar figures for the United States, where, of course, the total number of divorces is unusually large owing to the comparative ease with which they may be obtained, show increases from 27,919 in 1887 to 42,937 in 1896, 72,062 in 1906, 114,000 in 1916, 148,815 in 1922, 165,096 in 1923, 170,952 in 1924, 175,449 in 1925, 180,853 in 1926, 192,037 in 1927, 195,939 in 1928, 201,468 in 1929, falling to 191,591 in 1930, 183,664 in 1931 and 160,338 in 1932. The percentage of divorces to marriages increased from 10.6 to 16.3 during the years 1916 to 1932, divorces during this period increasing by 40.64 p.c. (In 1932 divorces granted to women in the United States constituted 73.5 p.c. of the total granted, as compared with 72.8 p.c. in 1931.) No statistics of divorces granted in the United States have been published since those for 1932.

5. NUMBER OF MARRIAGES AND DIVORCES IN ENGLAND AND WALES, AUSTRALIA, NEW ZEALAND AND CANADA IN RECENT YEARS

England and Wales		:	Australia		:	New Zealand		:	Canada	
No. of Mar- riages	No. of Di- vorces	:	No. of Mar- riages	No. of Di- vorces	:	No. of Mar- riages	No. of Di- vorces	:	No. of Mar- riages	No. of Di- vorces
1916....	279,846	990	40,289	617	8,213	198	65,000*	67		
1917....	258,855	703	33,666	652	6,417	219	60,000*	54		
1918....	287,163	1,111	33,141	681	6,227	199	55,000*	114		
1919....	369,411	1,654	40,540	879	9,519	336	70,000*	376		
1920....	379,658	3,090	51,552	1,152	12,175	469	80,931	429		
1921....	320,852	3,522	46,869	1,480	10,635	511	69,732	548		
1922....	299,524	2,588	44,731	1,326	9,556	522	64,420	544		
1923....	292,408	2,667	44,541	1,460	10,070	522	66,463	505		
1924....	296,416	2,286	45,869	1,528	10,259	526	65,129	543		
1925....	295,689	2,605	46,899	1,844	10,419	612	64,644	551		
1926....	279,860	2,622	47,865	1,632	10,680	614	66,658	608		
1927....	308,370	3,190	49,033	1,899	10,478	540	69,515	748		
1928....	303,228	4,018	48,593	1,829	10,537	572	74,311	785		
1929....	313,316	3,396	47,500	2,036	10,967	635	77,288	816		
1930....	315,109	3,563	43,255	1,783	11,075	620	71,657	875		
1931....	311,847	3,764	38,882	1,938	9,817	591	66,591	684		
1932....	307,184	3,894	43,634	1,703	9,896	612	62,531	995		
1933....	318,191	4,042	46,595	-	10,510	648	63,865	923		
1934....	342,307	4,287	51,465	-	11,256	683	73,092	1,106		

*Estimated.

84-D-70

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DIVORCES GRANTED IN CANADA

in

1936

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Minister of Trade and Commerce.

* * *

OTTAWA

1937

DOMINION BUREAU OF STATISTICS
GENERAL STATISTICS BRANCH
OTTAWA

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DIVORCES IN CANADA, 1936.

There were 1,526 divorces granted in Canada in the calendar year 1936, 1,486 being granted by the courts of seven provinces, while 40 were granted by the Dominion Parliament. These latter have been allotted to provinces according to the domicile of the petitioner, 36 being granted to applicants residing in the province of Quebec and four to wives residing in Ontario whose husbands were residents of Quebec.

As compared with 1935 there was an increase of 150 divorces, or 10.9 per cent. Ontario recorded 511 as against 463 for the previous year. All the other provinces, except Nova Scotia and Alberta, also showed increases. Table 1 shows the divorces granted, by provinces, in each of the twenty-four years from 1913 to 1936.

The Sex of Applicants for Divorces.— Up till 1924, Canada's divorce statistics differed from those of most other countries in that they showed that a majority of the divorces granted were on the petition of the husband. In 1924 wives obtained 51.2 p.c. of the decrees granted, but in 1925 husbands were again in the majority of the successful petitioners with 50.6 p.c. In 1926 wives received relief in 52.0 p.c., in 1927 in 52.6 p.c. and in 1928 in 52.0 p.c. of the cases adjudged, this condition being possibly due in part to the passing of the Divorce Act, 1925, which removed certain anomalies which formerly operated to the prejudice of wives. In 1929 and 1930 wives received relief in 53.9 p.c. and 58.4 p.c., respectively, of the cases adjudged, while in 1931 the proportion dropped to 57.7 p.c., rising in 1932 and 1933 to 58.7 p.c. and 58.9 p.c., respectively and reaching a new high point in 1934 at 68.5 p.c. In 1935 the proportion dropped to 61.6 p.c., rising again in 1936 to 64.0 p.c. (see Table 2). A comparison of Canadian divorce statistics with those of New Zealand and the United States shows that of the decrees granted in the former country from 1928 to 1935, wives received 52.8, 57.3, 56.3, 58.0, 55.7, 56.5, 56.5 and 54.1 p.c., respectively, while figures for the latter country for the six year period from 1927 to 1932 show the decisions granted to wives as being 70.5, 71.0, 71.4, 72.3, 72.8 and 73.5 p.c. of the total respectively.

Proportion of Divorced Persons in the Population.— At the 1931 census, there were enumerated 4,049 divorced males and 3,392 divorced females in the Dominion, or 0.08 p.c. and 0.07 p.c. of each sex respectively, while in 1921 the figures recorded were 3,670 and 3,731 or 0.08 p.c. and 0.09 p.c., respectively. As among the nine provinces, British Columbia showed the highest percentage of divorced persons in the population with 0.24 p.c. of each sex, while Quebec showed the lowest percentage with 0.02 males and 0.03 females. Divorced persons who have subsequently been remarried are, of course, recorded in the census as married.

Remarriage of Divorced Persons.— An interesting side light on the divorce question is afforded by the figures of divorced persons who remarried in the years 1926 to 1935, as shown in Table 3. The statistics indicate that the number of divorced persons remarrying is increasing pari passu with the number of divorces. Table 4 shows by provinces, the number of divorced persons who remarried in the five years 1931 to 1935.

1. DIVORCES GRANTED IN CANADA, 1913 - 1936.

(Final Decrees)

Note. - In Prince Edward Island, one divorce was granted in 1913, one in 1931, and one in 1935.

Year	N.S.	N.B.	QUE.	ONT.	MAN.	SASK.	ALTA.	B.C.	Total for Canada
1913	-	4	4	20	6	1	4	20	60
1914	10	12	7	18	2	2	4	15	70
1915	13	6	3	10	1	1	3	16	53
1916	14	11	1	18	2	2	1	18	67
1917	8	6	4	10	-	1	2	23	54
1918	24	10	2	10	-	1	2	65	114
1919	36	13	4	49	88	3	36	147	376
1920	45	15	9	91	42	26	65	136	429
1921	41	13	9	101	122	50	84	128	548
1922	35	12	6	90	97	37	129	138	544
1923	22	19	11	105	81	41	87	139	505
1924	42	15	13	114	77	28	118	136	543
1925	30	15	13	121	79	42	101	150	551
1926	19	12	10	113	85	48	154	167	608
1927	29	17	13	182	102	60	148	197	748
1928	28	14	25	213	79	55	168	203	785
1929	30	21	30	208	89	69	147	222	816
1930	19	27	40	207	114	62	151	255	875
1931	36	20	39	90	94	51	154	208	692
1932	35	26	24	341	114	61	149	245	995
1933	27	12	23	304	116	48	135	258	923
1934	33	17	36	358	126	62	168	306	1,106
1935	52	36	26	463	145	60	209	384	1,376
1936	41	38	36	511	179	79	209	433	1,526

2. DIVORCES GRANTED IN CANADA, 1934 - 1936, BY PROVINCES
AND SEX OF PLAINTIFF

(Final Decrees)

	To Husbands			:	To Wives			:	Total		
	1934	1935	1936	:	1934	1935	1936	:	1934	1935	1936
P. E. I.	-	-	-	-	1	-	-	-	1	-	-
N. S.	10	21	24	23	31	17	33	52	41		
N. B.	8	16	13	9	20	25	17	36	38		
Que.	7	6	11	29	20	25	36	26	36		
Ont.	104	167	172	254+	296++	339+++	358+	463++	511+++		
Man.	38	76	78	88	69	101	126	145	179		
Sask.	23	26	39	39	34	40	62	60	79		
Alta.	62	74	74	106	135	135	168	209	209		
B. C.	96	143	138	210	241	285	306	384	433		
CANADA	348	529	549	758	847	977	1,106	1,376	1,526		

+ Two granted by Dominion Parliament. ++ Three granted by Dominion Parliament.
+++ Four Granted by Dominion Parliament.

3. DIVORCED PERSONS REMARRIED, BY SEX, 1926 - 35.

Year	Males	Females
1926	484	512
1927	586	532
1928	749	739
1929	756	703
1930	759	668
1931	639	589
1932	661	579
1933	654	606
1934	741	660
1935	814	696

4. DIVORCED PERSONS REMARRIED, BY PROVINCES, 1931 - 35.

Note. - The number of divorced men who married divorced women was 101 in 1931, 73 in 1932, 63 in 1933, 85 in 1934 and 94 in 1935.

Provinces	1931		1932		1933		1934		1935	
	Males	Females	Males	Females	Males	Females	Males	Females	Males	Females
P. E. I.	1	-	1	-	4	-	1	3	2	
N. S.	28	27	20	24	22	25	37	24	47	26
N. B.	25	24	25	17	22	18	38	23	30	25
Que.	68	52	69	44	50	43	47	43	56	48
Ont.	174	137	198	154	213	177	249	186	279	162
Man.	73	43	59	51	67	62	55	56	79	83
Sask.	43	47	53	35	41	29	39	32	44	38
Alta.	102	107	88	103	88	101	94	103	106	116
B.C.	155	152	148	151	147	151	182	192	170	196
Total.	669	589	661	579	654	606	741	660	814	696

COMPARISONS WITH OTHER COUNTRIES

In Table 5 are given comparative figures of divorces and marriages in England and Wales, Australia, New Zealand and Canada for the years 1916 and subsequently. The percentage of divorces to marriages taking place in the same year, as here given, is seen in the case of England and Wales to have increased during these years from 0.35 p.c. to 1.16 p.c.; in Australia from 1.53 p.c. to 4.43 p.c.; in New Zealand from 2.41 p.c. to 5.36 p.c.; and in Canada from 0.1 p.c. to 1.98 p.c. Similar figures for the United States, where, of course, the total number of divorces is unusually large owing to the comparative ease with which they may be obtained, show increases from 27,919 in 1887 to 42,937 in 1896, 72,062 in 1906, 114,000 in 1916, 148,815 in 1922, 165,096 in 1923, 170,952 in 1924, 175,449 in 1925, 180,853 in 1926, 192,037 in 1927, 195,939 in 1928, 201,468 in 1929, falling to 191,591 in 1930, 183,664 in 1931 and 160,338 in 1932. The percentage of divorces to marriages increased from 10.6 to 16.3 during the years 1916 to 1932, divorces during this period increasing by 40.64 p.c. (In 1932 divorces granted to women in the United States constituted 73.5 p.c. of the total granted, as compared with 72.8 p.c. in 1931.) No statistics of divorces granted in the United States have been published since those for 1932, but estimates would indicate that there were some 165,000 divorces granted in 1933, 204,000 in 1934 and 218,000 in 1935. The estimated percentages of divorces to marriages were 15.0 p.c., 15.7 p.c. and 16.4 p.c. in the same three years.

5. NUMBER OF MARRIAGES AND DIVORCES IN ENGLAND AND WALES, AUSTRALIA, NEW ZEALAND AND CANADA IN RECENT YEARS.

Year	England and Wales		Australia		New Zealand		Canada	
	No. of Mar- riages	No. of Di- vorces	No. of Mar- riages	No. of Di- vorces	No. of Mar- riages	No. of Di- vorces	No. of Mar- riages	No. of Di- vorces
1916.....	279,846	990	40,289	617	8,213	198	65,000+	67
1917.....	258,855	703	33,666	652	6,417	219	60,000+	54
1918.....	287,163	1,111	33,141	681	6,227	199	55,000+	114
1919.....	369,411	1,654	40,540	879	9,519	336	70,000+	376
1920.....	379,658	3,090	51,552	1,152	12,175	469	80,931	429
1921.....	320,852	3,522	46,869	1,480	10,635	511	69,732	548
1922.....	299,524	2,588	44,731	1,326	9,556	522	64,420	544
1923.....	292,408	2,667	44,541	1,460	10,070	522	66,463	505
1924.....	296,416	2,286	45,869	1,528	10,259	526	65,129	543
1925.....	295,689	2,605	46,899	1,844	10,419	612	64,644	551
1926.....	279,860	2,622	47,865	1,632	10,680	614	66,658	608
1927.....	308,370	3,190	49,033	1,899	10,478	540	69,515	748
1928.....	303,228	4,018	48,593	1,829	10,537	572	74,311	785
1929.....	313,316	3,396	47,500	2,036	10,967	635	77,288	816
1930.....	315,109	3,563	43,255	1,783	11,075	620	71,657	875
1931.....	311,847	3,764	38,882	1,938	9,817	591	66,591	684
1932.....	307,184	3,894	43,634	1,680	9,896	612	62,531	995
1933.....	318,191	4,042	46,595	1,948	10,510	648	63,865	923
1934.....	342,307	4,287	51,465	2,282	11,256	683	73,092	1,106
1935.....	349,536	4,069	56,826	-	12,187	653	76,893	1,526

+ Estimated.

C A N A D A

DEPARTMENT OF TRADE AND COMMERCE

DOMINION BUREAU OF STATISTICS

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DIVORCES GRANTED IN CANADA

in

1937

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OTTAWA

1938

DOMINION BUREAU OF STATISTICS
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DIVORCES IN CANADA, 1937.

There were 1,870 divorces granted in Canada in the calendar year 1937, 1,825 being granted by the courts of seven provinces, while 45 were granted by the Dominion Parliament. These latter have been allotted to provinces according to the legal domicile of the petitioner, 43 being in the province of Quebec, and two in Prince Edward Island.

As compared with 1936 there was an increase of 344 divorces, or 22.5 p.c. Ontario recorded 596 as against 507 for the previous year. All the other provinces, except Nova Scotia, also showed increases. Table 1 shows the divorces granted, by provinces, in each of the twenty years from 1918 to 1937.

The statistics in Tables 1 and 2 have been revised, as those published in earlier years included some cases of annulments granted by the Dominion Parliament, while provincial annulments were not included. The present series does not include annulments. A reclassification by provinces has also been made, the number of decrees granted now being shown according to the legal domicile of the petitioner, whereas in earlier bulletins the residence of the petitioner was the basis of classification.

The Sex of Applicants for Divorces.- Up till 1924, Canada's divorce statistics differed from those of most other countries in that they showed that a majority of the divorces granted were on the petition of the husband. In 1924 wives obtained 51.2 p.c. of the decrees granted, but in 1925 husbands were again in the majority of successful petitioners with 50.6 p.c. From 1926 to 1933 wives received between 50 and 60 p.c. of the divorces granted. From 1934 to 1937 they received 68.5, 61.6, 64.0, and 63.4 p.c., respectively. In New Zealand wives received between 50 and 60 p.c. of the divorces granted between 1928 and 1935, while in the United States they received from 70.5 to 73.5 p.c. of the petitions granted in the years 1927 to 1932.

Proportion of Divorced Persons in the Population.- At the 1931 Census, there were enumerated 4,049 divorced males and 3,392 divorced females in the Dominion, or 0.08 p.c. and 0.07 p.c. of each sex, respectively, while in 1921 the figures recorded were 3,670 and 3,731 or 0.08 p.c. and 0.09 p.c., respectively. As among the nine provinces, British Columbia showed the highest percentage of divorced persons in the population with 0.24 of each sex, while Quebec showed the lowest percentage with 0.02 males and 0.03 females. Divorced persons who have subsequently been remarried are, of course, recorded in the census as married.

Remarriage of Divorced Persons.- An interesting side-light on the divorce question is afforded by the figures of divorced persons who remarried in the years 1926 to 1936, as shown in Table 3. The statistics indicate that the number of divorced persons remarrying is increasing *pari passu* with the number of divorces. Table 4 shows by provinces the number of divorced persons who remarried in the five years 1932 to 1936.

1. DIVORCES GRANTED IN CANADA, 1918 - 1937.

(Final Decrees)

Note, - In Prince Edward Island, one divorce was granted in 1931 and two in 1935 and two in 1937.

Year	N.S.	N.B.	QUE.	ONT.	MAN.	SASK.	ALTA.	B.C.	Total for Canada
1918	24	10	2	10	-	1	2	65	114
1919	36	13	4	46	88	3	36	147	373
1920	45	15	9	89	42	26	65	136	427
1921	41	13	10	96	122	50	84	128	544
1922	35	12	6	91	97	37	129	138	545
1923	22	19	10	102	81	41	87	139	501
1924	42	15	13	113	77	28	118	136	542
1925	30	15	13	119	79	42	101	150	549
1926	19	12	10	111	85	48	154	167	606
1927	29	17	13	181	101	60	148	197	746
1928	28	13	24	213	79	55	168	203	783
1929	30	21	30	207	89	69	147	222	815
1930	19	27	41	204	114	62	151	255	873
1931	36	20	38	90	94	51	154	208	692
1932	35	26	27	338	114	61	149	245	995
1933	27	12	24	303	116	48	135	258	923
1934	33	17	38	356	126	62	168	306	1,106
1935	52	36	28	460	145	60	209	384	1,376
1936	41	38	40	507	179	79	209	433	1,526
1937	36	54	43	596	200	109	241	589	1,870

2. DIVORCES GRANTED IN CANADA, 1935 - 1937, BY PROVINCES
AND SEX OF PLAINTIFF

(Final Decrees)

	To Husbands			: To Wives			: Total		
	1935	1936	1937	1935	1936	1937	1935	1936	1937
P. E. I. ..	-	-	1	2	-	1	2	-	2
N. S.	21	24	18	31	17	18	52	41	36
N. B.	16	13	23	20	25	31	36	38	54
Que.	6	11	8	22	29	35	28	40	43
Ont.	167	172	205	293	335	391	460	507	596
Man.	76	78	79	69	101	121	145	179	200
Sask.	26	39	44	34	40	65	60	79	109
Alta. ...	74	74	102	135	135	139	209	209	241
B. C.	143	138	205	241	295	384	384	433	589
CANADA	529	549	685	847	977	1,185	1,376	1,526	1,870

3. DIVORCED PERSONS REMARRIED, BY SEX, 1926 - 36.

Year	Males	Females
1926	484	512
1927	586	521
1928	749	739
1929	756	703
1930	759	668
1931	669	589
1932	661	579
1933	654	606
1934	741	660
1935	814	696
1936	851	727

4. DIVORCED PERSONS REMARRIED, BY PROVINCES, 1922 - 36.

Note. - The number of divorced men who married divorced women was 73 in 1932, 63 in 1933, 85 in 1934, 94 in 1935 and 104 in 1936.

Provinces	1932		1933		1934		1935		1936	
	Males	Females	Males	Females	Males	Females	Males	Females	Males	Females
P. E. I.	1	-	4	-	-	1	3	2	-	2
N. S.	20	24	22	25	37	24	47	26	37	29
N. B.	25	17	22	18	38	23	30	25	37	18
Que.	69	44	50	43	47	43	56	48	64	47
Ont.	198	154	213	177	249	186	279	162	238	174
Man.	59	51	67	62	55	56	79	83	84	84
Sask.	53	35	41	29	39	32	44	38	41	37
Alta.	88	103	88	101	94	103	106	116	126	123
B. C.	148	151	147	151	182	192	170	196	224	213
Total	661	579	654	606	741	660	814	696	851	727

COMPARISONS WITH OTHER COUNTRIES

In Table 5 are given comparative figures of divorces and marriages in England and Wales, Australia, New Zealand and Canada for the years 1916 and subsequently. The percentage of divorces to marriages taking place in the same year, as here given, is seen in the case of England and Wales to have increased during these years from 0.35 p.c. to 1.16 p.c.; in Australia from 1.53 p.c. to 4.43 p.c.; in New Zealand from 2.41 p.c. to 5.36 p.c.; and in Canada from 0.1 p.c. to 1.89 p.c. Similar figures for the United States, where, of course, the total number of divorces is unusually large owing to the comparative ease with which they may be obtained, show increases from 27,919 in 1887 to 42,937 in 1896, 72,062 in 1906, 114,000 in 1916, 148,815 in 1922, 165,096 in 1923, 170,952 in 1924, 175,449 in 1925, 180,853 in 1926, 192,037 in 1927, 195,939 in 1928, 201,468 in 1929, falling to 191,591 in 1930, 183,664 in 1931 and 160,338 in 1932. The percentage of divorces to marriages increased from 10.6 to 16.3 during the years 1916 to 1932, divorces during this period increasing by 40.64 p.c. (In 1932 divorces granted to women in the United States constituted 73.5 p.c. of the total granted, as compared with 72.8 p.c. in 1931.) No statistics of divorces granted in the United States have been published since those for 1932, but estimates would indicate that there were some 165,000 divorces granted in 1933, 204,000 in 1934 and 218,000 in 1935. The estimated percentages of divorces to marriages were 15.0 p.c., 15.7 p.c. and 16.4 p.c. in the same three years.

5. NUMBER OF MARRIAGES AND DIVORCES IN ENGLAND AND WALES, AUSTRALIA,
NEW ZEALAND AND CANADA IN RECENT YEARS

Year	England and Wales		Australia		New Zealand		Canada	
	No. of Mar- riages	No. of Di- vorces	No. of Mar- riages	No. of Di- vorces	No. of Mar- riages	No. of Di- vorces	No. of Mar- riages	No. of Di- vorces
1916	279,846	990	40,289	617	8,213	198	65,000+	67
1917	258,855	703	33,666	652	6,417	219	60,000+	54
1918	287,163	1,111	33,141	681	6,227	199	55,000+	114
1919	369,411	1,654	40,540	879	9,519	336	70,000+	373
1920	379,658	3,090	51,552	1,152	12,175	469	80,931	427
1921	320,852	3,522	46,869	1,480	10,635	511	69,732	544
1922	299,524	2,588	44,731	1,326	9,566	522	64,420	545
1923	292,408	2,667	44,541	1,460	10,070	522	66,463	501
1924	296,416	2,286	45,869	1,528	10,259	526	65,129	542
1925	295,689	2,605	46,899	1,844	10,419	612	64,644	549
1926	279,860	2,622	47,865	1,632	10,680	614	66,658	606
1927	308,370	3,190	49,033	1,899	10,478	540	69,515	746
1928	303,228	4,018	48,593	1,829	10,537	572	74,311	783
1929	313,316	3,396	47,500	2,036	10,967	635	77,288	815
1930	315,109	3,563	43,255	1,783	11,075	620	71,657	873
1931	311,847	3,764	38,882	1,938	9,817	591	66,591	692
1932	307,184	3,894	43,634	1,680	9,896	612	62,531	995
1933	318,191	4,042	46,595	1,948	10,510	648	63,865	923
1934	342,307	4,287	51,465	2,282	11,256	683	73,092	1,106
1935	349,536	4,069	56,826	-	12,187	653	76,893	1,376
1936	-	-	-	-	-	-	80,904	1,526

+ Estimated.

C A N A D A

DEPARTMENT OF TRADE AND COMMERCE

DOMINION BUREAU OF STATISTICS

GENERAL STATISTICS BRANCH

DIVORCES GRANTED IN CANADA

in

1938



Published by Authority of the HON. W.D. EULER, M.P.,
Minister of Trade and Commerce.

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OTTAWA

1939

Price 10 cents

DOMINION BUREAU OF STATISTICS

GENERAL STATISTICS BRANCH

OTTAWA

DIVORCES IN CANADA, 1938.

There were 1,883 divorces granted in Canada in the calendar year 1938, 1,798 being granted by the courts of seven provinces, while 85 were granted by the Dominion Parliament. These latter have been allotted to provinces according to the legal domicile of the petitioner, 83 being in the province of Quebec, and two in Prince Edward Island.

As compared with 1937 there was an increase of 13 divorces, or 0.7 p.c. There was no change in Prince Edward Island, decreases were recorded in British Columbia and New Brunswick - that of 280 divorces, or 47.5 p.c., in the former province being particularly noteworthy - while increases were shown for the remaining provinces, that of 217, or 36.4 p.c., of Ontario being the greatest. Table 1 shows the divorces granted, by provinces, in each of the 21 years from 1918 to 1938.

The Sex of Applicants for Divorces. - Up till 1924, Canada's divorce statistics differed from those of most other countries in that they showed that a majority of the divorces granted were on the petition of the husband. In 1924 wives obtained 51.2 p.c. of the decrees granted, but in 1925 husbands were again in the majority of successful petitioners with 50.6 p.c. From 1926 to 1933 wives received between 50 and 60 p.c. of the divorces granted. From 1934 to 1938 they received 68.5, 61.6, 64.0, 63.4, and 63.6 p.c., respectively. In New Zealand wives received between 50 and 60 p.c. of the divorces granted between 1928 and 1936, while in the United States they received from 70.5 to 73.5 p.c. of the petitions granted in the years 1927 to 1932.

Proportion of Divorced Persons in the Population. - At the 1931 Census, there were enumerated 4,049 divorced males and 3,392 divorced females in the Dominion, or 0.08 p.c. and 0.07 p.c. of each sex, respectively, while in 1921 the figures recorded were 3,670 and 3,731 or 0.08 p.c. and 0.09 p.c., respectively. As among the nine provinces, British Columbia showed the highest percentage of divorced persons in the population with 0.24 of each sex, while Quebec showed the lowest percentage with 0.02 males and 0.03 females. Divorced persons who have subsequently been remarried are, of course, recorded in the census as married.

Remarriage of Divorced Persons. - An interesting side-light on the divorce question is afforded by the figures of divorced persons who remarried in the years 1926 to 1937, as shown in Table 3. The statistics indicate that the number of divorced persons remarrying is increasing *pari passu* with the number of divorces. Table 4 shows by provinces the number of divorced persons who remarried in the five years 1933 to 1937.

1. DIVORCES GRANTED IN CANADA, 1918 - 1938.

(Final Decrees)

Note. - In Prince Edward Island, one divorce was granted in 1931 and two in 1935, 1937, and 1938.

Year	N.S.	N.B.	QUE.	ONT.	MAN.	SASK.	ALTA.	B.C.	Total for Canada
1918	24	10	2	10	--	1	2	65	114
1919	36	13	4	46	88	3	36	147	373
1920	45	15	9	89	42	26	65	136	427
1921	41	13	10	96	122	50	84	128	544
1922	35	12	6	91	97	37	129	138	545
1923	22	19	10	102	81	41	87	139	501
1924	42	15	13	113	77	28	118	136	542
1925	30	15	13	119	79	42	101	150	549
1926	19	12	10	111	85	48	154	167	606
1927	29	17	13	181	101	60	148	197	746
1928	28	13	24	213	79	55	168	203	783
1929	30	21	30	207	89	69	147	222	815
1930	19	27	41	204	114	62	151	255	873
1931	36	20	38	90	94	51	154	208	692
1932	35	26	27	338	114	61	149	245	995
1933	27	12	24	303	116	48	135	258	923
1934	33	17	38	356	126	62	168	306	1,106
1935	52	36	28	460	145	60	209	384	1,376
1936	41	38	40	507	179	79	209	433	1,526
1937	36	54	43	596	200	109	241	589	1,870
1938	51	39	83	813	205	120	261	309	1,883

2. DIVORCES GRANTED IN CANADA, 1936 - 1938, BY PROVINCES

AND SEX OF PLAINTIFF

(Final Decrees)

	To Husbands			To Wives			Total		
	1936	1937	1938	1936	1937	1938	1936	1937	1938
P. E. I.	-	1	-	-	1	2	-	2	2
N. S.	24	18	19	17	18	32	41	36	51
N. B.	13	23	15	25	31	24	35	54	39
Que.	11	8	18	29	35	65	40	43	83
Ont.	172	205	288	335	391	525	507	596	813
Man.	78	79	82	101	121	123	179	200	205
Sask.	39	44	42	40	65	78	79	109	120
Alta.	74	102	103	135	139	158	209	241	261
B. C.	138	205	118	295	384	191	433	589	309
CANADA	549	685	685	977	1,185	1,198	1,526	1,870	1,883

3. DIVORCED PERSONS REMARRIED, BY SEX, 1926 - 37.

Year	Males	Females
1926	484	512
1927	586	521
1928	749	739
1929	756	703
1930	759	668
1931	669	589
1932	661	579
1933	654	606
1934	741	660
1935	814	696
1936	851	727
1937	895	731

4. DIVORCED PERSONS REMARRIED, BY PROVINCES, 1933 - 37.

Note. - The number of divorced men who married divorced women was 63 in 1933, 85 in 1934, 94 in 1935, 104 in 1936, and 110 in 1937.

Provinces	1933		1934		1935		1936		1937	
	Males	Females	Males	Females	Males	Females	Males	Females	Males	Females
P. E. I.	4	-	-	1	3	2	-	2	7	1
N. S.	22	25	37	24	47	26	37	29	49	30
N. B.	22	18	38	23	30	25	37	18	39	21
Que.....	50	43	47	43	56	48	64	47	71	59
Ont.	213	177	249	186	279	162	238	174	127	84
Man.	67	62	55	56	79	83	84	84	134	85
Sask.	41	29	39	32	44	38	41	37	65	45
Alta.	88	101	94	103	106	116	126	123	132	133
B. C.	147	151	132	192	170	196	224	213	271	273
Total	654	606	741	660	814	696	851	727	895	731

COMPARISONS WITH OTHER COUNTRIES

In Table 5 are given comparative figures of divorces and marriages in England and Wales, Australia, New Zealand and Canada for the years 1916 and subsequently. The percentage of divorces to marriages taking place in the same year, as here given, is seen in the case of England and Wales to have increased during these years from 0.35 p.c. to 1.36 p.c.; in Australia from 1.53 p.c. to 4.15 p.c.; in New Zealand from 2.41 p.c. to 6.15 p.c.; and in Canada from 0.1 p.c. to 2.13 p.c. Similar figures for the United States, where, of course, the total number of divorces is unusually large owing to the comparative ease with which they may be obtained, show increases from 27,919 in 1887 to 42,937 in 1896, 72,062 in 1906, 114,000 in 1916, 148,815 in 1922, 165,096 in 1923, 170,952 in 1924, 175,449 in 1925, 180,853 in 1926, 192,037 in 1927, 195,939 in 1928, 201,468 in 1929, falling to 191,591 in 1930, 183,664 in 1931 and 160,338 in 1932. The percentage of divorces to marriages increased from 10.6 to 16.3 during the years 1916 to 1932, divorces during this period increasing by 40.64 p.c. (In 1932 divorces granted to women in the United States constituted 73.5 p.c. of the total granted, as compared with 72.8 p.c. in 1931). No statistics of divorces granted in the United States have been published since those for 1932, but estimates would indicate that there were some 165,000 divorces granted in 1933, 204,000 in 1934 and 218,000 in 1935. The estimated percentages of divorces to marriages were 15.0 p.c., 15.7 p.c. and 16.4 p.c. in the same three years.

5. NUMBER OF MARRIAGES AND DIVORCES IN ENGLAND AND WALES, AUSTRALIA,
NEW ZEALAND AND CANADA IN RECENT YEARS

	England and Wales		Australia		New Zealand		Canada	
	No. of Mar- riages	No. of Di- vorces	No. of Mar- riages	No. of Di- vorces	No. of Mar- riages	No. of Di- vorces	No. of Mar- riages	No. of Di- vorces
1916	279,846	990	40,289	617	8,213	198	65,000+	67
1917	258,855	703	33,666	652	6,417	219	60,000+	54
1918	287,163	1,111	33,141	681	6,227	199	55,000+	114
1919	369,411	1,654	40,540	879	9,519	336	70,000+	373
1920	379,658	3,090	51,552	1,152	12,175	469	80,931.	427
1921	320,852	3,522	46,869	1,480	10,635	511	69,732	544
1922	299,524	2,588	44,731	1,326	9,566	522	64,420	545
1923	292,408	2,667	44,541	1,460	10,070	522	66,463	501
1924	296,416	2,286	45,869	1,528	10,259	526	65,129	542
1925	295,689	2,605	46,899	1,844	10,419	612	64,644	549
1926	279,860	2,622	47,865	1,632	10,680	614	66,658	606
1927	308,370	3,190	49,033	1,899	10,478	540	69,515	746
1928	303,228	4,018	48,593	1,829	10,537	572	74,311	783
1929	313,316	3,396	47,500	2,036	10,967	635	77,288	815
1930	315,109	3,563	43,255	1,783	11,075	620	71,657	873
1931	311,847	3,764	38,882	1,938	9,817	591	66,591	692
1932	307,184	3,894	43,634	1,680	9,896	612	62,531	995
1933	318,191	4,042	46,595	1,948	10,510	648	63,865	923
1934	342,307	4,287	51,465	2,282	11,256	683	73,092	1,106
1935	349,536	4,069	56,826	2,357	12,187	653	76,893	1,376
1936	354,644	4,057	58,709	-	13,808	849	80,904	1,526
1937	359,160	4,886	-	-	-	-	87,800	1,870

+ Estimated.

C A N A D A

DEPARTMENT OF TRADE AND COMMERCE

DOMINION BUREAU OF STATISTICS

DIVORCES GRANTED IN CANADA

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Published by Authority of the HON. W.D. EULER
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OTTAWA

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DOMINION BUREAU OF STATISTICS

Dominion Statistician: R. H. Coats, LL.D., F.R.S.C., F.S.S. (Hon.)

DIVORCES IN CANADA, 1939.

There were 2,022 divorces granted in Canada in the calendar year 1939, 1,972 being granted by the courts of seven provinces, while 50 were granted by the Dominion Parliament, to petitioners whose legal domicile was in the Province of Quebec.

As compared with 1938 there was an increase of 137 divorces, or 7.3 p.c. The increase is accounted for largely by the British Columbia figures, 554 decrees having been granted in that Province as compared with 309 in 1938. Nova Scotia, New Brunswick, Saskatchewan and Alberta all registered slight increases. The most significant decrease was shown in Ontario, divorces falling from 813 to 743, or by 8.6 p.c. Table 1 shows the divorces granted, by provinces, in each of the 22 years from 1918 to 1939.

The Sex of Applicants for Divorces.- Up till 1924, Canada's divorce statistics differed from those of most other countries in that they showed that a majority of the divorces granted were on the petition of the husband. In 1924 wives obtained 51.2 p.c. of the decrees granted, but in 1925 husbands were again in the majority of successful petitioners with 50.6 p.c. From 1926 to 1933 wives received between 50 and 60 p.c. of the divorces granted. From 1934 to 1939 they received 68.5, 61.6, 64.0, 63.4, 63.6 and 65.3 p.c. respectively. In New Zealand wives received between 50 and 60 p.c. of the divorces granted between 1928 and 1937, while in the United States they received from 70.5 to 73.5 p.c. of the petitions granted in the years 1927 to 1932.

Proportion of Divorced Persons in the Population.- At the 1931 Census, there were enumerated 4,049 divorced males and 3,392 divorced females in the Dominion, or 0.08 p.c. and 0.07 p.c. of each sex, respectively, while in 1921 the figures recorded were 3,670 and 3,731 or 0.08 p.c. and 0.09 p.c., respectively. As among the nine provinces, British Columbia showed the highest percentage of divorced persons in the population with 0.24 of each sex, while Quebec showed the lowest percentage with 0.02 males and 0.03 females. Divorced persons who have subsequently been remarried are, of course, recorded in the census as married.

Remarriage of Divorced Persons. - An interesting side-light on the divorce question is afforded by the figures of divorced persons who remarried in the years 1926 to 1938, as shown in Table 3. The statistics indicate that the number of divorced persons remarrying is increasing pari passu with the number of divorces. Table 4 shows by provinces the number of divorced persons who remarried in the five years 1934 to 1938.

1. DIVORCES GRANTED IN CANADA, 1918 - 1939.

(Final Decrees)

Note. - In Prince Edward Island, one divorce was granted in 1931 and two in 1935, 1937 and 1938.

Year	N.S.	N.B.	QUE.	ONT.	MAN.	SASK.	ALTA.	B.C.	Total for Canada
1918	24	10	2	10	-	1	2	65	114
1919	36	13	4	46	88	3	36	147	373
1920	45	15	9	89	42	26	65	136	427
1921	41	13	10	96	122	50	84	128	544
1922	35	12	6	91	97	37	129	138	545
1923	22	19	10	102	81	41	87	139	501
1924	42	15	13	113	77	28	118	136	542
1925	30	15	13	119	79	42	101	150	549
1926	19	12	10	111	85	48	154	167	606
1927	29	17	13	181	101	60	148	197	746
1928	28	13	24	213	79	55	168	203	783
1929	30	21	30	207	89	69	147	222	815
1930	19	27	41	204	114	62	151	255	873
1931	36	20	38	90	94	51	154	208	692
1932	35	26	27	338	114	61	149	245	995
1933	27	12	24	303	116	48	135	258	923
1934	33	17	38	356	126	62	168	306	1,106
1935	52	36	28	460	145	60	209	384	1,376
1936	41	38	40	507	179	79	209	433	1,526
1937	36	54	43	596	200	109	241	589	1,870
1938	51	39	83	813	205	122 1/	261	309	1,885 1/
1939	64	40	50	743	181	124	266	554	2,022

1/ Revised

2. DIVORCES GRANTED IN CANADA, 1937 - 1939, BY PROVINCES

AND SEX OF PLAINTIFF

(Final Decrees)

	To Husbands			:	To Wives			:	Total		
	1937	1938	1939		1937	1938	1939		1937	1938	1939
P. E. I.	1	Nil	Nil		1	2	Nil		2	2	Nil
N. S.	18	19	22		18	32	42		36	51	64
N. B.	23	15	20		31	24	20		54	39	40
Que.	8	18	11		35	65	39		43	83	50
Ont.	205	288	257		391	525	486		596	813	743
Man.	79	82	68		121	123	113		200	205	181
Sask.	44	42	57		65	80 1/	67		109	122 1/	124
Alta.	102	103	103		139	158	163		241	261	266
B. C.	205	118	161		384	191	393		589	309	554
CANADA	685	685	699		1,185	1,200 1/	1,323		1,870	1,885 1/	2,022

1/ Revised

3. DIVORCED PERSONS REMARRIED, BY SEX, 1926 - 38.

Year	Males	Females
1926	484	512
1927	586	521
1928,.....	749	739
1929	756	703
1930	759	668
1931	669	589
1932	661	579
1933	654	606
1934	741	660
1935	814	696
1936	851	727
1937	895	731
1938	887	789

4. DIVORCED PERSONS REMARRIED, BY PROVINCES, 1934 - 38.

Note. - The number of divorced men who married divorced women was 85 in 1934, 94 in 1935, 104 in 1936, 110 in 1937 and 124 in 1938.

Provinces	1934		1935		1936		1937		1938	
	Males	Females	Males	Females	Males	Females	Males	Females	Males	Females
P. E. I. ...	-	1	3	2	-	2	7	1	1	1
N. S.	37	24	47	26	37	29	49	30	45	29
N. B.	38	23	30	25	37	18	39	21	29	39
Que.	47	43	56	48	64	47	71	59	96	57
Ont.	249	186	279	162	238	174	127	84	90	57
Man.	55	56	79	83	84	84	134	85	120	107
Sask.	39	32	44	38	41	37	65	45	62	47
Alta.	94	103	106	116	126	123	132	133	139	147
B. C.	182	192	170	196	224	213	271	273	305	305
Total	741	660	814	696	851	727	895	731	887	789

COMPARISONS WITH OTHER COUNTRIES

In Table 5 are given comparative figures of divorces and marriages in England and Wales, Australia, New Zealand and Canada for the years 1916 and subsequently. The percentage of divorces to marriages taking place in the same year, as here given, is seen in the case of England and Wales to have increased during these years from 0.35 p.c. to 1.36 p.c.; in Australia from 1.53 p.c. to 4.23 p.c.; in New Zealand from 2.41 p.c. to 6.38 p.c.; and in Canada from 0.1 p.c. to 2.13 p.c. Similar figures for the United States, where, of course, the total number of divorces is unusually large owing to the comparative ease with which they may be obtained, show increases from 27,919 in 1887 to 42,937 in 1896, 72,062 in 1906, 114,000 in 1916, 148,815 in 1922, 165,096 in 1923, 170,952 in 1924, 175,449 in 1925, 180,853 in 1926, 192,037 in 1927, 195,939 in 1928, 201,468 in 1929, falling to 191,591 in 1930, 183,364 in 1931 and 160,338 in 1932. The percentage of divorces to marriages increased from 10.6 to 16.3 during the years 1916 to 1932, divorces during this period increasing by 40.64 p.c. (In 1932 divorces granted to women in the United States constituted 73.5 p.c. of the total granted, as compared with 72.8 p.c. in 1931). No statistics of divorces granted in the United States have been published since those for 1932, but estimates would indicate that there were some 165,000 divorces granted in 1933, 204,000 in 1934 and 218,000 in 1935. The estimated percentages of divorces to marriages were 15.0 p.c., 15.7 p.c. and 16.4 p.c. in the same three years.

5. NUMBER OF MARRIAGES AND DIVORCES IN ENGLAND AND WALES, AUSTRALIA,
NEW ZEALAND AND CANADA IN RECENT YEARS

	England and Wales		Australia		New Zealand		Canada	
	No. of Mar- riages	No. of Di- vorces	No. of Mar- riages	No. of Di- vorces	No. of Mar- riages	No. of Di- vorces	No. of Mar- riages	No. of Di- vorces
1916	279,846	990	40,289	617	8,213	198	65,000 1/	67
1917	258,855	703	33,666	652	6,417	219	60,000 1/	54
1918	287,163	1,111	33,141	681	6,227	199	55,000 1/	114
1919	369,411	1,654	40,540	879	9,519	336	70,000 1/	373
1920	379,658	3,090	51,552	1,152	12,175	469	80,931	427
1921	320,852	3,522	46,869	1,480	10,635	511	69,732	544
1922	299,524	2,588	44,731	1,326	9,566	522	64,420	545
1923	292,408	2,667	44,541	1,460	10,070	522	66,463	501
1924	296,416	2,286	45,869	1,528	10,259	526	65,129	542
1925	295,689	2,605	46,899	1,844	10,419	612	64,644	549
1926	279,860	2,622	47,865	1,632	10,680	614	66,658	606
1927	308,370	3,190	49,033	1,899	10,478	540	69,515	746
1928	303,228	4,018	48,593	1,829	10,537	572	74,311	783
1929	313,316	3,396	47,500	2,036	10,967	635	77,288	815
1930	315,109	3,563	43,255	1,783	11,075	620	71,657	873
1931	311,847	3,764	38,882	1,938	9,817	591	66,591	692
1932	307,184	3,894	43,634	1,680	9,896	612	62,531	995
1933	318,191	4,042	46,595	1,948	10,510	648	63,865	923
1934	342,307	4,287	51,465	2,282	11,256	683	73,092	1,106
1935	349,536	4,069	56,826	2,357	12,187	653	76,893	1,376
1936	354,644	4,057	58,709	2,483	13,808	849	80,904	1,526
1937	359,160	4,886	59,448	-	14,364	917	87,800	1,870
1938							88,438	1,885

1/ Estimated

[illegible]

DOMINION BUREAU OF STATISTICS

in

1940

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+

1941

Price 10 cents

DOMINION BUREAU OF STATISTICS

Dominion Statistician:

R. H. Coats, LL.D., F.R.S.C., F.S.S. (Hon.)

DIVORCES IN CANADA, 1940.

There were 2,369 divorces granted in Canada in the calendar year 1940, 2,307 being granted by the courts of seven provinces, while 62 were granted by the Dominion Parliament, to petitioners whose legal domicile was in the Province of Quebec.

Through the courtesy of the various Provincial authorities concerned with the registration of divorce decrees, a revision of the statistics of divorces granted appears in this bulletin. The figures that have been changed are marked in Tables 1 and 2; as now presented, they show the numbers of decrees absolute granted, figures of annulments having been eliminated where possible. For those provinces where it was not possible to make such elimination, annulments make up a negligible proportion of the total.

As compared with the revised figures for 1939, divorces increased by 301, or 14.6 per cent. Ontario and British Columbia, with 169 and 93, respectively, accounted for the greater part of the increase. The other provinces recorded lesser increases, except Nova Scotia, Saskatchewan and Prince Edward Island. There were no divorces granted in the latter Province.

The Sex of Applicants for Divorces.— Up till 1924, Canada's divorce statistics differed from those of most other countries in that they showed that a majority of the divorces granted were on the petition of the husband. In 1924 wives obtained 51.2 per cent of the decrees granted, but in 1925 husbands were again in the majority of successful petitioners with 50.6 per cent. From 1926 to 1933 wives received between 50 and 60 per cent of the divorces granted. From 1934 the proportion increased; in 1940 it was 63.2 per cent. In New Zealand wives received between 50 and 60 per cent of the divorces granted between 1928 and 1938, while in the United States they received from 70.5 to 73.5 per cent of the petitions granted in the years 1927 to 1932.

Proportion of Divorced Persons in the Population.— At the 1931 Census, there were enumerated 4,049 divorced males and 3,392 divorced females in the Dominion, or 0.08 per cent and 0.07 per cent of each sex, respectively, while in 1921 the figures recorded were 3,670 and 3,731 or 0.08 per cent and 0.09 per cent, respectively. As among the nine provinces, British Columbia showed the highest percentage of divorced persons in the population with 0.24 of each sex, while Quebec showed the lowest percentage with 0.02 males and 0.03 females. Divorced persons who have subsequently been remarried are, of course, recorded in the census as married.

Remarriage of Divorced Persons.— An interesting side-light on the divorce question is afforded by the figures of divorced persons who remarried in the years 1926 to 1939, as shown in Table 3. The statistics indicated that the number of divorced persons remarrying is increasing pari passu with the number of divorces. Table 4 shows by provinces the number of divorced persons who remarried in the five years 1935 to 1939.

1. DIVORCES GRANTED IN CANADA, 1918 - 1940.

(Final Decrees)

Note. - In Prince Edward Island, one divorce was granted in 1931 and two in 1935, 1937 and 1938.

Year	N.S.	N.B.	QUE.	ONT.	MAN.	SASK.	ALTA.	B.C.	TOTAL FOR CANADA
1918	24	10	2	10	-	1	2	65	114
1919	36	13	4	46	88	3	36	147	373
1920	45	15	9	89	42	20 x	112 x	136	468 x
1921	41	13	10	96	122	59 x	89 x	128	558 x
1922	35	12	6	91	97	35 x	129	138	543 x
1923	22	19	10	102	81	44 x	88 x	139	505 x
1924	42	15	13	113	77	26 x	118	136	540 x
1925	30	15	13	119	79	43 x	101	150	550 x
1926	19	12	10	111	85	50 x	154	167	608 x
1927	29	17	13	181	101	62 x	148	197	748 x
1928	28	13	24	213	79	57 x	173 x	203	790 x
1929	30	21	30	207	89	71 x	147	222	817 x
1930	19	27	41	204	114	64 x	151	255	875 x
1931	36	20	38	91 x	94	55 x	157 x	208	699 x
1932	35	26	27	343 x	114	66 x	150 x	245	1,006 x
1933	27	12	24	307 x	116	48	138 x	258	930 x
1934	33	17	38	365 x	126	67 x	170 x	306	1,122 x
1935	52	36	28	491 x	145	68 x	225 x	384	1,429 x
1936	41	38	40	519 x	179	84 x	218 x	451 x	1,570 x
1937	36	53 x	43	607 x	200	112 x	259 x	520 x	1,830 x
1938	51	39	83	824 x	205	126 x	271 x	625 x	2,226 x
1939	64	40	50	747 x	181	133 x	272 x	581 x	2,068 x
1940(Prelim.)	60	52	62	916	206	125	274	674	2,369

x Revised.

2. DIVORCES GRANTED IN CANADA, 1938 - 1940, BY PROVINCES

AND SEX OF PLAINTIFF

(Final Decrees)

	To Husbands			:	To Wives			:	Total
	1938	1939	1940		1938	1939	1940		1938 1939 1940
P. E. I.	Nil	Nil	Nil		2	Nil	Nil		2 Nil Nil
N. S.	19	22	20		32	42	40		51 64 60
N. B.	15	21 x	20		24	19 x	32		39 40 52
Que.	18	11	21		65	39	41		83 50 62
Ont.	294 x	258 x	330		530 x	489 x	586		824 x 747 x 916
Man.	82	68	85		123	113	121		205 181 206
Sask.	43 x	61 x	52		83 x	72 x	73		126 x 133 x 125
Alta.	107 x	108 x	122		164 x	164 x	152		271 x 272 x 274
B. C.	234 x	171 x	222		391 x	410 x	452		625 x 581 x 674
CANADA	812 x	720 x	872		1,414 x	1,348 x	1,497		2,226 x 2,068 x 2,369

x Revised.

- 5 -

3. DIVORCED PERSONS REMARRIED, BY SEX, 1926 - 39.

Year	Males	Females
1926	484	512
1927	586	521
1928	749	739
1929	756	703
1930	759	668
1931	669	589
1932	661	579
1933	654	606
1934	742	660
1935	814	696
1936	851	727
1937	895	731
1938	887	789
1939	1,039	973

4. DIVORCED PERSONS REMARRIED, BY PROVINCES, 1935 - 39.

Note. - The number of divorced men who married divorced women was 94 in 1935, 104 in 1936, 110 in 1937, 124 in 1938 and 150 in 1939.

Provinces	1935		1936		1937		1938		1939	
	Males	Females	Males	Females	Males	Females	Males	Females	Males	Females
B. I.	3	2	Nil	2	7	1	1	1	Nil	Nil
S.	47	26	37	29	49	30	45	29	52	37
B.	30	25	37	18	39	21	29	39	40	23
ue.	56	48	64	47	71	59	96	57	100	69
nt.	279	162	238	174	127	84	90	57	120	101
an.	79	85	84	84	134	85	120	107	139	102
ask.	44	33	41	37	65	45	62	47	74	74
lta.	106	111	126	123	152	133	136	147	192	193
C.	170	196	224	213	271	273	305	305	322	374
TOTAL	814	696	851	727	895	731	887	789	1,039	973

COMPARISONS WITH OTHER COUNTRIES

In Table 5 are given comparative figures of divorces and marriages in England and Wales, Australia, New Zealand and Canada for the years 1916 and subsequently. The percentage of divorces to marriages taking place in the same year, as here given, is seen in the case of England and Wales to have increased during these years from 0.35 per cent to 1.73 per cent; in Australia from 1.53 per cent to 4.64 per cent; in New Zealand from 2.41 per cent to 6.85 per cent; and in Canada from 0.1 per cent to 2.01 per cent. Similar figures for the United States, where, of course, the total number of divorces is unusually large owing to the comparative ease with which they may be obtained, show increases from 27,919 in 1887 to 42,937 in 1896, 72,062 in 1906, 114,000 in 1916, 148,815 in 1922, 165,096 in 1923, 170,952 in 1924, 175,449 in 1925, 180,853 in 1926, 192,037 in 1927, 195,939 in 1928, 201,468 in 1929, falling to 191,591 in 1930, 183,664 in 1931 and 160,338 in 1932. The percentage of divorces to marriages increased from 10.6 to 16.3 during the years 1916 to 1932, divorces during this period increasing by 40.64 per cent. No statistics of divorces granted in the United States have been published since those for 1932, but estimates would indicate that there were some 165,000 divorces granted in 1933, 204,000 in 1934, 218,000 in 1935, 236,000 in 1936 and 250,000 in 1937. The estimated percentages of divorces to marriages were 15.0 per cent, 15.7 per cent, 16.4 per cent, 17.2 per cent and 17.5 per cent in the same years. The number of divorces per 1,000 of population was 1.8 in 1936 and 1.9 in 1937.

5. NUMBER OF MARRIAGES AND DIVORCES IN ENGLAND AND WALES, AUSTRALIA,

NEW ZEALAND AND CANADA IN RECENT YEARS

		England and Wales		Australia		New Zealand		Canada	
		No. of Mar- riages	No. of Di- vorces	No. of Mar- riages	No. of Di- vorces	No. of Mar- riages	No. of Di- vorces	No. of Mar- riages	No. of Di- vorces
1916	....	279,846	990	40,289	617	8,213	198	65,000 x	67
1917	....	258,855	703	33,666	652	6,417	219	60,000 x	54
1918	....	287,163	1,111	33,141	681	6,227	199	55,000 x	114
1919	....	369,411	1,654	40,540	879	9,519	336	70,000 x	373
1920	....	379,658	3,090	51,552	1,152	12,175	469	80,931	468
1921	....	320,852	3,522	46,869	1,480	10,635	511	69,732	558
1922	....	299,524	2,588	44,731	1,326	9,566	522	64,420	543
1923	....	292,408	2,667	44,541	1,460	10,070	522	66,463	505
1924	....	295,416	2,286	45,869	1,528	10,259	526	65,129	540
1925	....	295,689	2,605	46,899	1,844	10,419	612	64,644	550
1926	....	279,860	2,622	47,865	1,632	10,680	614	66,658	608
1927	....	308,370	3,190	49,033	1,899	10,478	540	69,515	748
1928	....	303,228	4,018	48,593	1,829	10,537	572	74,311	790
1929	....	313,316	3,396	47,500	2,036	10,967	635	77,258	817
1930	....	315,109	3,563	43,255	1,783	11,075	620	71,657	875
1931	....	311,847	3,764	38,882	1,938	9,817	591	66,591	696
1932	....	307,184	3,894	43,634	1,680	9,896	612	62,531	1,006
1933	....	318,191	4,042	46,595	1,948	10,510	648	63,865	930
1934	....	342,307	4,287	51,465	2,282	11,256	683	73,092	1,122
1935	....	349,536	4,069	56,826	2,357	12,187	653	76,893	1,429
1936	....	354,644	4,057	58,709	2,483	13,808	849	80,904	1,570
1937	....	359,160	4,886	59,448	2,759	14,364	917	87,800	1,830
1938	361,768	6,250	62,411	-	15,328	1,050	88,438	2,229
1939	-	-	-	-	-	-	103,658	2,068

x Estimated.

♢ Revised.

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ANNUAL REPORT
on
DISSOLUTIONS OF MARRIAGE
(DIVORCES)
in
CANADA
(Exclusive of Yukon and the Northwest Territories)
1941



OTTAWA
1943

Price 25 cents

TABLE OF CONTENTS

Introduction	
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TABLES

Table 1. Dissolutions of marriage, by provinces, 1918 - 41.	
Table 2. Annual rates of dissolutions of marriage, by provinces, 1918 - 41.	
Table 3. Dissolutions of marriage classified according to sex, by provinces, 1937 - 41.	
Table 4. Ratio of dissolutions of marriage granted to males to every 1,000 granted to females, by provinces, 1937 - 41.	
Table 5. Divorced persons in the population, by provinces, 1921, 1931 and 1941.	
Table 6. Remarriages of divorced persons, by sex, 1926 - 41.	
Table 7. Remarriages of divorced persons classified according to the marital status of both contracting parties, by provinces, 1937 - 41. ..	
Table 8. Number of marriages and dissolutions of marriage in certain countries, 1916 - 41.	
Table 9. Percentage of dissolutions of marriage to marriages in certain countries, 1916 - 41.	
Table 10. Dissolutions of marriage rates per 100,000 population in certain countries, 1916 - 41.	

INTRODUCTION

The primary object of collecting and analysing divorce statistics is to measure the effect of broken marital relationships upon the family unit and community life. One of the primary factors for consideration is to study divorce in its relationship to marriage and by this means be able to measure the probability of divorce as the terminating point in a marriage contract.

A reliable divorce index presents a number of problems which cannot be solved by any simple method of collection or analysis of divorce data alone.

In order to measure the true divorce situation in any country it is necessary to pull together certain related material concerning "the book-keeping of life"; such as the distribution of deaths by marital status, marriages by age of the contracting parties and marital status.

This report which presents the salient features of legal dissolutions of marital relationships in Canada during the calendar year 1941 is limited in its scope for reasons which are set forth herein and which are by no means peculiar to Canada. The figures presented do not include legal separations or marriage relationships set aside by annulment.

Generally speaking, as in England and Wales, divorce courts may grant four kinds of marital relief, namely: (1) dissolution of marriage, (2) judicial (or legal) separation, (3) nullity of marriage, and (4) restitution of marital rights.

In the case of dissolution of marriage, an established marital relationship is dissolved by a judicial decree, while on the other hand annulment has the effect of obliterating a marriage, as if in the eyes of the law it had never been legally established. Marriages set aside by annulment are in effect null and void "ab initio" (from the beginning). Annulments, for the most part, are granted (1) if the parties were in the prohibited degrees of affinity and consanguinity (direct blood relationship between husband and wife); (2) if the marriage was bigamous; (3) if there was an absence of consent by one of the parties at the time of marriage (i.e. marriage obtained by means of threats or force of some kind or fraud); (4) if one of the parties was insane at the time of marriage; (5) if one of the parties was under age at the time of the marriage and had failed to secure parental consent; and (6) where non-consummation of marriage is the main cause of complaint.

The effect of a legal separation is to disrupt a marital relationship without setting it aside and neither party is free to marry again. Many legal separations are entered into by mutual consent of husband and wife.

An order for restitution of marital rights may be obtained by either a husband or a wife who has been deserted, requiring the offending partner to return to cohabitation and to restore the marital relationship. Under the Laws of England and Wales, disobedience to such an order constitutes desertion without reasonable cause. In Canada, however, it is doubtful if such jurisdiction has any significance due to the fact that an amendment to the "Divorce Act" of Canada in 1930(3) provided that desertion over a continuous period of two years must be proven prior to the institution of divorce proceedings.

DIVORCE LAWS IN CANADA

Under the terms of the British North America Act⁽¹⁾, the Dominion Parliament of Canada has the sole authority to deal with the granting of dissolution of marriage, except in those provinces where the power had been granted to the Courts previous to Confederation⁽²⁾. From Confederation in 1867 until 1924, the Dominion Parliament did not promulgate any legislation granting the right to obtain divorce, nor had any court with jurisdiction in divorce matters been created within the Dominion or in any province, pursuant to Dominion legislation. Matrimonial relief might be obtained, however, under authority of the British North America Act by petition to the Dominion Parliament through the Divorce Committee of the Senate.

Nova Scotia and New Brunswick. - The Provinces of Nova Scotia (4) (in 1864) and New Brunswick (5) (in 1860), having enacted legislation respecting divorce and possessing courts exercising jurisdiction over divorce and matrimonial causes before Confederation, have continued to exercise such jurisdiction as provinces since 1867.

(1) See Sub-section (26); section 91, British North America Act.

(2) See Section 129, British North America Act.

(3) See Statutes of Canada, 1930, Chap. 15.

(4) See Revised Statutes (3rd series) N.S. 1864, Chap. 126, and Statutes of N. S. 1866, Chap. 13.

(5) See Revised Statutes, N. B. 1903, Chap. 115.

Prince Edward Island. - In Prince Edward Island a court having jurisdiction in divorce matters was constituted by law in 1835 (6), and while this provision has not been repealed, the power vested in the Governor and Executive Council to establish a divorce court has never been exercised. Persons living in Prince Edward Island must make application for dissolution of marriage by petition to the Dominion Parliament.

Quebec. - In Quebec, the courts have assumed power to annul marriages and to entertain petitions for legal separations. Persons seeking dissolution of marriage in Quebec must do so by petition to the Dominion Parliament.

British Columbia. - The colony of British Columbia had acquired jurisdiction in divorce and matrimonial causes by virtue of a proclamation issued by the Governor-in-Council, which gave effect to the Civil and Criminal Law of England as it existed on November 19th, 1858. The province continued to exercise jurisdiction over divorce and matrimonial causes through the courts established prior to 1871, the year British Columbia entered Confederation (7).

Manitoba. - The divorce law of England, as it existed on July 15th, 1870, was introduced into Manitoba by an Act of the Dominion Parliament (8). The Court of the King's Bench in Manitoba has the same jurisdiction in divorce as the Courts have in England under the "Divorce and Matrimonial Causes Act" of 1857.

Alberta and Saskatchewan. - The Dominion Parliament in 1886 (9) enacted that the laws of England as they existed on July 15th, 1870, should be in force in the Northwest Territories of Canada. In 1918, the Appellate Division of the Supreme Court of Alberta held that the effect of the above Act and of subsequent legislation passed creating the province was to make the "Divorce and Matrimonial Causes Act" of England of 1857 and any amendments up to July 15th, 1870, apply to the Province of Alberta. This decision was confirmed by the Imperial Privy Council on appeal. Subsequent judgments by the Saskatchewan Court of Appeal held that the English law as it existed on July 15th, 1870, had force in that province and that the rights conferred thereunder might be enforced by the Court of King's Bench. The Provinces of Alberta and Saskatchewan, therefore, are in the same position in the matter of jurisdiction over divorce.

Ontario. - In 1930 (10), the Dominion Parliament conferred jurisdiction in divorce upon the Supreme Court of Ontario, in accordance with the English Law as it existed on July 15th, 1870. Prior to that time, it was the practice in Ontario for applications for dissolution of marriage to be made to the Dominion Parliament in the same manner as persons residing in the Provinces of Quebec and Prince Edward Island.

THE LAWS OF ENGLAND AS THEY AFFECT DIVORCE IN CANADA.

The right to obtain divorce decrees in England was first granted in 1857, when the "Divorce and Matrimonial Causes Act" was passed. By this Act the Court of Divorce and Matrimonial Causes was created and all jurisdiction in matrimonial matters, formerly exercised by the Ecclesiastical Courts, was transferred to the Civil Court by the Act. Dissolution of marriage, as we now understand it, had formerly the significance of judicial separation only. The "Divorce and Matrimonial Causes Act" of 1857 of England had no force in the colonies of British North America before Confederation, except in those colonies where such legislation had been enacted.

JURISDICTION IN DIVORCE IN THE UNITED STATES.

Dissolution of marriage in the United States is regulated by State legislation. There is no apparent uniformity in the State laws concerning divorce and it is much easier to secure dissolution decrees in some states than in others. One of the pre-requisites to divorce in the United States is domicile or a prescribed time period of residence within the State where the application for a decree of divorce will be made.

EFFECT OF DIVORCE DECREE.

In Canada, generally speaking, unless an appeal is lodged, every decree of dissolution of marriage is absolute at the expiration of three months following the granting of the decree, and after that period both parties are free to remarry other persons or each other. In England, every decree of dissolution of marriage is in the first instance a decree "nisi" and is not made absolute until the expiration of six calendar months. At any time during the progress of a divorce suit, before the decree "nisi" is made absolute the King's proctor may intervene. The marriage exists until the decree is absolute, after which time either spouse may marry again. In the United States there is no restriction to the remarriage of divorced persons

(6) See 5 William IV, Chap. 10.

(7) See Revised Statutes, B.C. 1936, Chap. 76.

(8) See 51 Victoria, Chap. 33.

(9) See 49 Victoria, Chap. 25.

(10) See Statutes of Canada, 1930, Chap. 14.

in the majority of the states, although in some instances divorce decrees are granted "nisi" and do not become absolute until a specified period of time has elapsed (generally speaking, as in England, six months). Such decrees prohibit the remarriage of either spouse during the "nisi" period.

SOCIAL ASPECTS OF DIVORCE

Divorce is becoming more and more important as a social problem and the distribution of dissolutions of marriage according to marital and social factors is of paramount importance in any study of the effects of marriage and divorce upon community life. For instance, in the United States the total number of divorces is relatively high, as compared with other countries. This high rate of divorce is said to be due in a large measure to the comparative ease with which a dissolution of marriage may be obtained, but the causes of divorce in the United States may be due to any number of economic factors and social conditions which may not be present in other countries. Such factors can only be determined by a comprehensive study of the status of marriage and divorce in their relationship to other factors of community and family life. Scientific work in the divorce field remains very limited, due to (1) the lack of uniformity in collection of basic material; and (2) the lack of a standard statistical method for the analysis of divorce statistics, and finally (3) because there is very little material available. These conditions are due mainly to the fact that (1) the collection of complete statistical data is an undertaking of great magnitude and that (2) under existing conditions the cost of comprehensive analyses would be prohibitive. Such data are not available for Canada, but it is hoped that in the very near future the deficiency in certain basic material may be rectified on a national basis.

Some idea as to the complexity of the problems to be faced in organizing and co-ordinating studies of divorce in relationship to marriage and social and economic factors of a country is found in the Marriage and Divorce Bulletin of the United States Bureau of the Census (11). The statistics contained in this publication indicate the surprisingly large number of divorces which are granted in that country to persons married in Canada. In 1922, the latest year in which statistics of the country of marriage of persons obtaining divorces were collected, no fewer than 1,368 divorce decrees were granted to couples married in Canada, a number more than $2\frac{1}{2}$ times as large as the total number of divorces granted in Canada in the same year. This number also formed 36.2 per cent of the number of divorces granted in the United States during the year to couples married in foreign countries, while, at the same time the percentage of the Canadian-born population to the total foreign-born amounted to only 4.1 per cent. The Bulletin goes on to say:

"It is possible that many Canadians acquire a residence in the United States for the sole purpose of obtaining divorce decrees. In general, divorce laws are more liberal in the United States than in Canada."

Of the 1,368 divorces granted in 1922 to couples who had been married in Canada, no fewer than 452 were granted by the courts of the State of Michigan, while 135 were granted by the courts of the State of Washington and 128 in California. This situation establishes beyond doubt the need for international agreements concerning the interchange of divorce material, the establishment of statistical standards for the analysis of such material and the method of collecting the basic data.

Duration of Marriage. - An important factor in the study of divorce statistics is the duration of marriage. Many authorities on marriage and divorce claim that one of the most common causes of divorce is hasty marriages, while other authorities claim to have discovered by a study of available statistics that most "matrimonial barques" drift upon the rocks of the divorce court after many years of apparently successful wedded bliss. In fact, the divorce statistics over a period of years for one province of Canada revealed that a high percentage of marriages were dissolved after the completion of eight to ten years of married life. The State of Massachusetts, with its old and established law of matrimony and divorce, shows in its Annual Report that nearly 33 per cent of the marriages dissolved in 1920 had a duration of marriage from ten to nineteen years.

Grounds for Divorce. - Statistics as to the "grounds" for dissolutions of marriage are of extreme significance. In Canada, however, the cause factor is generally known, because the main grounds for divorce are unfaithfulness and to a limited extent, desertion. Statistics showing the distribution of dissolutions of marriage by cause are of primary importance. In countries where desertion, insanity (either physical or mental), neglect of support, criminal conviction, habitual drunkenness, impotency and other causes, may be entertained as the grounds for divorce action, the determining cause factors in divorce instances is of extreme importance.

In 1925, the Dominion Parliament of Canada (12) added a new and important provision to the Canadian law respecting divorce. The law in force at that time, insofar as it concerned grounds for divorce proceedings, provided that while a husband might obtain a divorce on grounds of adultery it was necessary for a wife

(11) See Marriage and Divorce, 1922, Table 17, Page 24.

(12) See Statutes of Canada, 1925, Chap. 41.

to prove both adultery and desertion. This anomaly was removed by Section 2 of the "Divorce Act" of 1925, wherein it provided that -

"In any court having jurisdiction to grant divorce "a vinculo matrimonii" any wife may commence an action, praying that her marriage may be dissolved on the ground that her husband has since the celebration thereof been guilty of adultery".

The granting of a divorce in such cases, of course, is dependent on sufficient evidence that the wife has not been an accessory to nor connived at such adultery and that the action is not prosecuted in collusion with the husband or the woman with whom he is alleged to have committed adultery. In addition -

" . . . the court shall not be bound to pronounce such decree if it finds that the wife during the marriage has been guilty of adultery or of unreasonable delay or cruelty towards the husband or of having deserted or wilfully separated herself from the husband before the adultery complained of and without reasonable excuse or of such wilful neglect or misconduct as has conduced to the adultery."

In 1930, the Dominion Parliament again amended the "Divorce Act" (13) providing that, after a lapse of two years, wives whose husbands had deserted them and had moved from the jurisdiction of the Court of the province of the former joint residence, were permitted to institute an action for divorce. A decree could be granted by the Court of the province in which the wife had continued to reside upon any grounds which were already recognized by the Court of that province, provided that the husband was domiciled in that same province immediately prior to the desertion.

In England, complete divorce has been obtainable since January 1st, 1938 (14) by either husband or wife upon any one of the following grounds: adultery since marriage; desertion for three years before petition; cruelty to petitioner; incurable insanity; and by the wife on conviction of the husband of certain criminal offenses.

Other Divorce Factors. - As living conditions differ between countries, so likewise do the common causes of and legal grounds for divorce applications differ, and the rates, therefore, vary accordingly. In some countries, by reason of the high cost of court action, divorce is said to be a luxury and only within the reach of the fairly wealthy in the population.

DIVORCE RATES

Divorce rates are generally expressed in the ratio of decrees granted each year to every 100,000 of the population. Due to changes in the sex, age and marital status distribution of the population, a rate worked on the basis of the total population may prove an unreliable index, particularly for long-term comparisons. It is common practice also to express the ratio of divorce decrees by the ratio of the number of dissolutions of marriage each year to the number of marriages solemnized in the same year. Some authorities claim, and rightly so, that this is not a logical basis for comparison, because it must be remembered that the ratio of divorces to marriages in a given year indicates simply a numerical relationship which has no biological or social significance, even though it has been considered a convenient index of the increase in divorce frequency.

Divorce statistics ought to be studied specifically; that is, in relationship to the number of persons exposed to the risk of divorce, i.e., the annual number of divorces in ratio to the married adult population (fifteen years and over), or better still in ratio to the married units in the population. The divorce rate for both sexes would obviously be twice as great for the entire adult married population because the number of persons attaining divorce status each year is naturally twice the number of divorces granted. The same reasons may be advanced for computing specific divorce rates as in the case of specific rates for marriages and births.

Until such time as national and international standards are set up the most commonly used ratios will be employed in presenting the Divorce Statistics of Canada. Some justification for adopting and continuing publication of these questionable statistical data is that such rates have been and are now being used not only in the more popular publications but equally as extensively in scientific studies and official publications.

The relative number of divorces granted to females in all countries is very much higher than the number granted to males; the ratio in this instance is expressed in terms of the number of male applicants to the number of female applicants in every 1,000 decrees granted.

(13) See Statutes of Canada, 1930, Chap. 15.

(14) See Matrimonial Causes Act, 1937.

SOURCE OF DIVORCE MATERIAL IN CANADA

The material for this report, which is limited to a mere count by sex of the dissolutions and nullities of marriage granted, is supplied annually to the Vital Statistics Branch of the Dominion Bureau of Statistics through the courtesy of the provincial authorities charged with the registration of Divorces, while the figures for Prince Edward Island and Quebec are supplied through the courtesy of the Clerk of the Divorce Committee of the Senate of Canada. The figures for the years 1920 to 1940 have been revised through the co-operation of the above registration officials and show the number of absolute decrees granted each year. Annulments have been eliminated, where possible, but for those provinces where it was not possible to make a complete elimination they constitute a very negligible proportion of the total. Plans are being formulated to discuss with the provinces and the Clerk of the Divorce Committee of the Senate, the adoption of a comprehensive Standard Divorce Report Form for Canada.

DIVORCES GRANTED IN 1941

There were 2,461 divorces granted in Canada in the calendar year 1941 - 2,412 being granted by the courts of seven provinces, while 48 were granted by the Dominion Parliament to petitioners whose legal domicile was in the Province of Quebec and 1 in Prince Edward Island. As compared with the figures for 1940, divorces in Canada in 1941 increased by 92, or 3.9 per cent. Alberta with an increase of 37, Manitoba with 36, New Brunswick with 35, Ontario with 33, and Saskatchewan with 21, accounted for the greater portion of the increase in divorces granted. Nova Scotia and Prince Edward Island recorded lesser increases, while British Columbia showed a decrease of 65, and Quebec a decrease of 14. The annual distribution of dissolutions of marriage in Canada, by provinces, from 1918 to 1941, inclusive, are given in Table 1.

Population Rates. - Table 2 shows the divorce rates per 100,000 population in Canada by provinces from 1918 to 1941. The figures reveal that upon the basis of the number of divorces granted to the total population the rate per 100,000 has steadily increased. In 1918 the rate was 1.4; by 1926 it was 6.4; by 1930 it had risen to 8.6 and in 1936 it reached 14.3. In 1940 the rate was 20.8 while in 1941 it increased to 21.4. During the twenty-four year period there was but one marked halt in the general upward trend, i.e., in 1931 when the rate dropped to 6.8 from the 1930 figure of 8.6, but in 1932 the rate rose again to 9.6.

Considering the provinces individually, British Columbia has always maintained by far the highest divorce rate in Canada. In 1918, the rate stood at 13.7; by 1926 it had risen to 27.6 and to 37.7 in 1930. The upward trend stopped in 1931 when the rate dropped to 30.0, but in 1932 the upward trend was resumed with the rate increasing to 34.8, and by 1940 had risen to 84.8 per 100,000 population. There was, however, a definite halt in the trend for 1941 when the rate dropped to 74.5.

Discounting Prince Edward Island, the Province of Quebec has the lowest provincial divorce rate in Canada. The general trend has been slightly upward from 0.1 per 100,000 population in 1918 to 1.9 in 1940. During the review period there has been a number of minor fluctuations with a peak of 2.6 in 1938. In 1941 the Quebec rate stood at 1.4. It must be remembered, however, that the basis for the granting of divorce decrees in Quebec is not strictly comparable with the rest of Canada.

The rates in Table 2 reveal a general upward trend in the other provinces of the Dominion.

Sex of Applicants. - Divorce statistics in Canada until 1924 were at variance with those of most other countries by revealing that a majority of the decrees of dissolution of marriage were granted on the petition of the husband. In that year 51.2 per cent of the decrees were granted to wives, but in 1925 the majority of successful petitioners again swung in favour of the husbands with 50.6 per cent. From 1926 to 1933 between 50 and 60 per cent of the decrees were granted to wives, while after 1934 the proportion increased steadily to 63.2 per cent in 1940 but dropped to 62.6 per cent in 1941. In New Zealand between 50 and 60 per cent of the decrees granted between 1928 and 1940 were to wives.

Table 3 shows the provincial distribution of dissolutions of marriage, from 1937 to 1941, according to the sex of the petitioners, while Table 4 shows the ratio of dissolutions of marriage granted to males for every 1,000 granted to females in Canada by provinces, from 1937 to 1941.

Divorced Persons in the Population. - The number of divorced persons in the Dominion as enumerated at the Census of 1921 was 3,647 males and 3,726 females or 0.08 per cent and 0.09 per cent of the total population for each sex, while in 1931, the figures were recorded as 4,027 and 3,386 or 0.08 per cent and 0.07 per cent, respectively. At the Census of 1941 there were 6,546 divorced males and 7,460 divorced females enumerated, showing a percentage of 0.11 and 0.13, respectively, of the total male and female population of Canada.

Table 5 shows the distribution of divorced persons in Canada by provinces as enumerated at the Censuses of 1921, 1931, and 1941, together with the percentage distribution by sex of each group to the total population. The figures show that British Columbia had the highest provincial rate of divorced persons in

the population. In 1921 there were 547 divorced males or 0.19 per cent; in 1931 there were 921 or 0.24 per cent and in 1941 there were 1,547 or 0.36 per cent. Divorced females numbered 483 or 0.21 per cent in 1921; 721 or 0.24 per cent in 1931 and 1,718 or 0.45 per cent in 1941. The figures reveal that the Province of Quebec had the lowest percentage of divorced persons in Canada at all three censuses with 603 divorced males or 0.05 per cent in 1921; 348 or 0.02 per cent in 1931 and 500 or 0.03 per cent in 1941. Divorced females in 1921 numbered 758 or 0.06 per cent; in 1931 they numbered 405 or 0.03 per cent and in 1941 there were 646 or 0.04 per cent. The above figures give the marital status of divorced persons at the time of the Census; persons who had been previously divorced but remarried prior to the Census are enumerated as married.

Remarriage of Divorced Persons. - The number of divorced persons remarrying each year by sex from 1926 to 1941 is shown in Table 6. The figures indicate that the number of remarriages is increasing with the number of divorces granted. It will be seen also that except for the year 1926 the rate of remarriage for divorced females is consistently lower than for divorced males. The percentage increase over the sixteen year period 1926 to 1941 was 162.2 and 136.9, respectively.

In Table 7 is shown the marital status of the contracting parties in Canadian marriages where either or both was a divorced person prior to the marriage. The provincial distribution is given from 1937 to 1941. The figures reveal that marriages of divorced men to spinsters are by far the more numerous, and that in point of numbers the marriages of divorced women to bachelors come second. In this connection, however, the fairer sex appear to be catching up with their ex-partners for in 1937 the first named group accounted for 46.6 per cent of the remarriages against 32.2 per cent, while in 1941 the percentages had changed to 40.5 and 35.7. The lowest frequency of remarriage was between divorced men and widows. These trends were fairly consistent as between provinces, with British Columbia far in the lead with a total of 448 divorced persons remarried in 1937 as against 937 in 1941; Alberta was second with 252 and 375, while New Brunswick was lowest with 58 and 108, respectively.

COMPARISONS WITH OTHER COUNTRIES

Marriages and Divorces. - In Table 8 are shown figures for marriages and divorces in Canada, in comparison with England and Wales, Scotland, Australia, New Zealand, the United States and Sweden for the years 1916 to 1941. Complete statistics of divorces granted in the United States have not been collected since 1932. The United States Bureau of the Census estimated and published the number of divorces annually from 1916 to 1921 and 1933 to 1940 (1). The estimates were based on the returns of a national survey of all divorce recording offices in the forty-eight states.

Percentage of Divorces to Marriages. - The figures in Table 9 reveal that in Canada the percentage of divorces to marriages in each year has increased from 0.10 in 1916 to 2.02 in 1941. In England and Wales the percentage of divorces to marriages has increased from 0.35 to 1.41 and in Scotland from 0.85 to 1.6 during the same period. In 1916 in the United States, the annual percentage of divorces to marriages was 10.6 and by 1940 the percentage had increased to 16.27, while in New Zealand the percentage was 2.41 and 5.07 for the same years. Australia showed an increase of from 1.53 in 1916 to 4.82 in 1939 and Sweden from 2.2 to 5.89, respectively.

The upward trend in all seven countries has been maintained fairly steadily since 1916 with a few minor fluctuations, but indications are that a drop in the number of dissolutions of marriage granted may be expected during the next two or three years.

Divorce Rates. - Table 10 gives the divorce rates per 100,000 population for the above countries. The rate for Canada rose steadily from 0.8 in 1916 to 21.4 in 1941; England and Wales from 2.9 to 13.2 and Scotland from 5.5 to 15.2. United States and New Zealand with rates of 111.8 and 18.0, respectively, in 1916 increased to 200.3 and 68.5 in 1940. The Australian rates were 12.5 in 1916 and 44.9 in 1939 while the rates for Sweden ranged from a low of 13.5 in 1916 to 56.0 in 1939, the latest year for which these figures are available. It might be expected there has been some variation in the rates for each country, but nevertheless the trend has been steadily upward.

(1) Estimated number of divorces by state; United States, 1937 - 1940.
Vital Statistics - Special Reports, Vol. 15, page 193.

TABLE 1. - DISSOLUTIONS OF MARRIAGES IN CANADA, BY PROVINCES, 1916 - 41

Year	CANADA	Prince Edward Island	Nova Scotia	New Brunswick	Quebec	Ontario	Mani- toba	Saskat- chewan	Alberta	British Columbia
1918	114	-	24	10	2	10	-	1	8	85
1919	373	-	36	13	4	46	88	5	56	147
1920	468	-	45	15	9	68	42	20	113	133
1921	558	-	41	13	10	86	122	55	89	138
1922	543	-	35	12	6	31	97	35	129	138
1923	505	-	22	19	10	102	61	44	98	139
1924	540	-	42	15	12	115	77	36	119	138
1925	550	-	30	15	13	119	79	40	101	130
1926	608	-	19	12	16	113	86	50	156	167
1927	748	-	29	17	12	181	101	31	148	197
1928	790	-	28	12	24	212	79	57	373	223
1929	817	-	30	21	20	207	89	71	167	292
1930	875	-	19	27	41	204	114	54	281	243
1931	700	1	38	20	35	9	94	35	197	242
1932	1,006	-	36	23	27	142	114	45	162	242
1933	930	-	27	15	24	207	116	49	138	242
1934	1,122	-	33	17	32	264	126	67	170	266
1935	1,431	2	52	38	38	451	148	68	225	304
1936	1,570	-	41	28	40	519	179	84	218	421
1937	1,932	2	36	55	43	607	200	112	246	535
1938	2,226	2	51	39	53	826	202	125	271	628
1939	2,068	-	64	40	50	747	191	133	272	591
1940	2,369	-	60	52	52	918	206	125	274	674
1941	2,461	1	68	57	42	949	242	146	311	697

TABLE 2. - ANNUAL RATES OF DISSOLUTIONS OF MARRIAGE PER 100,000 POPULATION IN CANADA, BY PROVINCES, 1916 - 41.

Year	CANADA	Prince Edward Island	Nova Scotia	New Brunswick	Quebec	Ontario	Mani- toba	Saskat- chewan	Alberta	British Columbia
1918	1.4	-	4.8	2.7	0.1	0.4	-	0.1	0.4	13.7
1919	4.5	-	7.1	3.5	0.2	1.6	15.3	0.4	6.7	30.1
1920	5.5	-	8.7	3.9	0.4	3.1	7.1	2.7	19.8	26.8
1921	6.4	-	7.8	3.4	0.4	3.3	20.0	7.8	15.1	24.4
1922	6.1	-	6.7	3.1	0.2	3.1	15.7	4.6	21.8	25.5
1923	5.6	-	4.2	4.9	0.4	3.4	13.1	5.7	14.8	25.0
1924	5.9	-	8.1	3.8	0.5	3.7	12.3	3.3	19.8	23.8
1925	5.9	-	5.8	3.8	0.5	3.8	12.5	5.3	18.8	25.5
1926	6.4	-	3.7	3.0	0.4	3.5	13.3	6.1	25.3	27.6
1927	7.8	-	5.6	4.3	0.5	5.6	15.5	7.4	23.4	31.6
1928	8.0	-	5.4	3.2	0.9	6.5	11.9	6.6	26.3	31.7
1929	8.2	-	5.8	5.2	1.1	6.2	13.1	8.0	21.5	33.7
1930	8.6	-	3.7	6.7	1.5	6.0	16.5	7.1	21.3	37.7
1931	6.8	1.1	7.0	4.9	1.3	2.7	13.4	6.0	21.4	30.0
1932	9.6	-	6.7	6.3	0.9	9.9	16.1	7.1	20.3	34.9
1933	8.7	-	5.2	2.9	0.8	8.6	16.3	5.2	18.4	36.2
1934	10.4	-	6.3	4.0	1.3	10.1	17.7	7.2	22.5	42.2
1935	13.1	2.2	9.9	5.4	0.7	12.2	20.4	7.5	22.5	52.2
1936	14.3	-	7.6	8.7	1.3	14.1	25.2	9.0	28.2	60.1
1937	16.5	2.2	6.6	12.0	1.4	16.4	27.9	11.9	33.3	69.2
1938	19.9	2.1	9.3	8.8	2.6	22.1	28.5	13.4	34.6	82.1
1939	18.3	-	11.6	8.9	1.6	19.9	24.9	14.0	34.6	75.1
1940	20.8	-	10.7	11.5	1.9	24.3	28.3	13.4	34.7	84.8
1941	21.4	1.1	11.8	19.0	1.4	25.1	33.2	16.3	39.1	74.5

TABLE 3. - DISSOLUTIONS OF MARRIAGE CLASSIFIED ACCORDING TO SEX IN CANADA,
BY PROVINCES, 1937 - 41.

		CANADA	Prince Edward Island	Nova Scotia	New Brunswick	Quebec	Ontario	Mani- toba	Saskat- chewan	Alberta	British Columbia
To Husbands											
1937		673	1	18	24	8	209	79	46	109	179
1938		812	-	19	15	18	294	82	43	107	234
1939		720	-	22	21	11	258	68	61	108	171
1940		872	-	20	20	21	330	85	52	122	222
1941		921	-	28	53	16	339	79	55	137	214
To Wives											
1937		1,160	1	18	29	35	398	121	66	151	341
1938		1,414	2	32	24	65	530	123	83	164	391
1939		1,348	-	42	19	39	489	113	72	164	410
1940		1,497	-	40	32	41	586	121	73	152	452
1941		1,540	1	40	34	32	610	163	91	174	395
Total											
1937		1,833	2	36	53	43	607	200	112	260	520
1938		2,226	2	51	39	83	824	205	126	271	625
1939		2,068	-	64	40	50	747	181	133	272	581
1940		2,369	-	60	52	62	916	206	125	274	674
1941		2,461	1	68	87	48	949	242	146	311	609

TABLE 4. - RATIO OF DISSOLUTIONS OF MARRIAGE GRANTED TO MALES TO EVERY 1,000 GRANTED TO FEMALES
IN CANADA, BY PROVINCES, 1937 - 41.

Year	CANADA	Prince Edward Island	Nova Scotia	New Brunswick	Quebec	Ontario	Mani- toba	Saskat- chewan	Alberta	British Columbia
1937	580	1,000	1,000	823	229	525	653	697	722	525
1938	574	-	594	625	277	555	667	518	652	598
1939	534	-	524	1,105	282	528	602	847	659	417
1940	582	-	500	625	512	563	702	712	803	491
1941	598	-	700	1,559	500	556	485	604	787	542

TABLE 5. - DIVORCED PERSONS IN THE POPULATION OF CANADA, BY PROVINCES AS ENUMERATED
AT THE CENSUSES OF 1921, 1931 AND 1941.

Provinces	Number of Divorced Persons by Sex						Percent of Population by Sex					
	Males			Females			Males			Females		
	1921 ^{1/}	1931	1941	1921 ^{1/}	1931	1941	1921 ^{1/}	1931	1941	1921 ^{1/}	1931	1941
Prince Edward Island.	24	15	22	18	13	13	0.05	0.03	0.04	0.04	0.03	0.04
Nova Scotia	217	170	247	210	136	268	0.08	0.06	0.08	0.08	0.06	0.10
New Brunswick	125	146	197	106	109	132	0.06	0.07	0.08	0.06	0.06	0.09
Quebec	603	345	500	758	405	646	0.05	0.02	0.03	0.06	0.03	0.04
Ontario	1,135	1,071	2,391	1,369	1,015	2,865	0.08	0.06	0.12	0.09	0.06	0.15
Manitoba	246	344	473	260	309	654	0.08	0.09	0.13	0.09	0.09	0.19
Saskatchewan	337	394	468	233	273	361	0.08	0.08	0.10	0.07	0.06	0.09
Alberta	413	621	801	289	393	717	0.13	0.16	0.19	0.11	0.12	0.19
British Columbia ...	547	921	1,547	483	731	1,718	0.19	0.24	0.36	0.21	0.24	0.45
CANADA	3,647	4,027	6,546	3,726	3,386	7,460	0.08	0.08	0.11	0.09	0.07	0.13

1/ Figures include legal separations.

TABLE 6. - REMARRIAGES OF DIVORCED PERSONS, BY SEX, IN CANADA, 1926 - 41.

Year	Males	Females
1926	484	512
1927	586	521
1928	749	739
1929	756	703
1930	759	668
1931	669	589
1932	661	579
1933	654	606
1934	741	660
1935	814	696
1936	851	727
1937	895	731
1938	887	789
1939	1,039	973
1940	1,139	1,136
1941	1,269	1,213

TABLE 7. - REMARRIAGES OF DIVORCED PERSONS CLASSIFIED ACCORDING TO THE MARITAL STATUS OF BOTH CONTRACTING PARTIES, IN CANADA, BY PROVINCES, 1937 - 41.

Marriages between -	CANADA	Prince Edward Island	Nova Scotia	New Brunswick	Quebec	Ontario	Mani- toba	Saskat- chewan	Alberta	British Columbia
Bachelors and divorced women										
1937	488	1	23	14	38	46	64	32	93	177
1938	552	-	22	24	33	31	76	35	115	216
1939	691	-	26	14	49	64	74	52	136	276
1940	808	-	41	31	41	18	114	46	176	341
1941	840	-	53	40	65	20	101	48	145	368
Widowers and divorced women										
1937	133	-	4	5	9	28	11	11	27	38
1938	113	-	4	11	13	15	13	9	15	33
1939	132	-	8	6	5	22	13	11	31	36
1940	169	-	8	10	16	13	16	12	29	65
1941	179	1	9	12	13	20	23	7	24	70
Divorced men and spinsters										
1937	707	7	43	33	52	104	109	60	108	191
1938	680	-	33	19	81	75	87	55	109	221
1939	793	-	41	35	77	97	113	57	143	230
1940	875	2	55	37	78	34	120	75	173	301
1941	926	2	60	43	69	47	147	70	155	333
Divorced men and widows										
1937	78	-	3	4	7	13	15	3	11	22
1938	83	-	9	6	4	4	15	4	13	28
1939	96	-	8	2	8	8	11	6	23	30
1940	105	-	2	4	11	4	17	5	14	48
1941	149	-	2	7	8	16	23	7	19	67
Divorced men and divorced women										
1937	110	-	3	2	12	10	10	2	13	58
1938	124	1	3	4	11	11	18	3	17	56
1939	150	-	3	3	15	15	15	11	26	62
1940	159	-	5	3	5	10	15	5	22	94
1941	194	-	5	6	16	11	21	4	32	99

TABLE 8. - NUMBER OF MARRIAGES AND DISSOLUTIONS OF MARRIAGE IN CANADA AND CERTAIN OTHER COUNTRIES.

1916 - 41.

Year	CANADA	United States	England and Wales	Australia	New Zealand	Scotland	Sweden
Number of Marriages							
1916	65,000 (1)	1,075,775 (1)	279,846	40,289	8,213	31,419	35,024
1917	60,000 (1)	1,144,200 (1)	258,855	33,666	6,417	30,421	35,524
1918	55,000 (1)	1,000,109 (1)	287,163	33,141	6,227	34,529	38,645
1919	70,000 (1)	1,150,186 (1)	369,411	40,540	9,519	44,060	40,289
1920	80,931	1,274,476 (1)	379,982	51,552	12,175	46,754	42,918
1921	69,732	1,163,863 (1)	320,852	46,869	10,635	39,243	39,550
1922	64,420	1,134,151	299,524	44,731	9,566	34,375	36,806
1923	66,463	1,229,784	292,408	44,541	10,070	35,200	37,829
1924	65,129	1,184,574	296,416	45,869	10,259	32,328	37,385
1925	64,644	1,188,334	295,689	46,899	10,419	32,456	37,419
1926	66,658	1,202,574	279,860	47,865	10,680	31,244	38,268
1927	69,515	1,201,053	308,370	49,033	10,478	32,553	38,999
1928	74,311	1,182,497	303,228	48,593	10,537	32,948	40,507
1929	77,288	1,232,559	313,316	47,500	10,957	32,967	41,719
1930	71,657	1,126,856	315,109	43,255	11,075	33,315	43,858
1931	66,591	1,060,914	311,847	38,882	9,817	32,652	42,908
1932	62,531	981,903	307,184	43,634	9,896	33,157	41,673
1933	63,865	1,098,000 (1)	318,191	46,595	10,510	34,201	43,437
1934	73,092	1,302,000 (1)	342,307	51,465	11,256	36,934	48,095
1935	76,893	1,327,000 (1)	349,536	56,826	12,187	37,988	51,306
1936	80,904	1,369,000 (1)	354,644	58,709	13,808	37,896	53,276
1937	87,800	1,438,000 (1)	359,160	59,448	14,364	38,334	55,606
1938	88,438	1,319,000 (1)	361,768	62,411	15,328	38,747	56,725 (2)
1939	103,658	1,375,000 (1)	439,694	64,249	17,115	46,257 (2)	60,147 (2)
1940	123,318	1,565,000 (1)	470,549 (2)	77,889	17,448	53,597 (2)	
1941	121,842		387,510 (2)		13,422	47,717 (2)	
Number of Dissolutions of Marriage (3)							
1916	67	114,000 (1)	990	617	198	267	772
1917	54	121,564 (1)	703	652	219	297	1,043
1918	114	116,254 (1)	1,111	681	199	485	1,098
1919	373	141,527 (1)	1,654	879	336	829	1,204
1920	468	170,505 (1)	3,090	1,152	469	776	1,325
1921	598	159,580 (1)	3,522	1,480	511	500	1,444
1922	543	148,815	2,588	1,326	522	382	1,473
1923	505	165,096	2,667	1,460	522	363	1,531
1924	540	170,952	2,286	1,528	526	438	1,634
1925	550	175,449	2,605	1,844	612	451	1,748
1926	608	180,853	2,622	1,632	614	425	1,780
1927	748	192,037	3,190	1,899	540	474	1,973
1928	790	195,939	4,018	1,829	572	504	2,141
1929	817	201,468	3,396	2,036	635	519	2,188
1930	876	191,591	3,563	1,783	620	469	2,218
1931	700	183,664	3,764	1,938	591	569	2,344
1932	1,006	160,338	3,894	1,680	612	488	2,384
1933	930	165,000 (1)	4,042	1,948	648	510	2,558
1934	1,122	204,000 (1)	4,287	2,282	683	468	2,737
1935	1,431	218,000 (1)	4,069	2,357	653	498	2,718
1936	1,570	236,000 (1)	4,057	2,483	849	642	2,848
1937	1,832	249,000 (1)	4,886	2,759	917	649	3,128
1938	2,226	244,000 (1)	6,250	3,074	1,050	788	3,461 (2)
1939	2,068	251,000 (1)	6,332	3,139	1,032	879	3,541 (2)
1940	2,369	264,000 (1)	5,887		1,059	740	
1941	2,461		5,462			763	

(1) Estimated.

(2) Preliminary figures.

(3) Figures for England and Wales and Sweden include annulments.

TABLE 9. - PERCENTAGE OF DISSOLUTIONS OF MARRIAGE TO MARRIAGES IN CANADA AND CERTAIN OTHER COUNTRIES,
1916 - 41.

Year	CANADA	United States	England and Wales	Australia	New Zealand	Scotland	Sweden
1916	0.10	10.60	0.35	1.53	2.41	0.85	2.20
1917	0.09	10.62	0.27	1.94	3.41	0.98	2.94
1918	0.21	11.62	0.39	2.05	3.20	1.40	2.84
1919	0.53	12.30	0.45	2.17	3.53	1.88	2.99
1920	0.58	13.38	0.81	2.23	3.85	1.66	3.09
1921	0.80	13.71	1.10	3.16	4.80	1.27	3.65
1922	0.84	13.12	0.86	2.96	5.46	1.11	4.00
1923	0.76	13.42	0.91	3.38	5.18	1.03	4.05
1924	0.83	14.43	0.77	3.33	5.13	1.35	4.37
1925	0.85	14.76	0.88	3.93	5.87	1.39	4.67
1926	0.91	15.04	0.94	3.41	5.75	1.36	4.65
1927	1.08	15.99	1.03	3.87	5.15	1.46	5.06
1928	1.06	16.57	1.33	3.76	5.43	1.53	5.29
1929	1.06	16.35	1.08	4.29	5.79	1.57	5.24
1930	1.22	17.00	1.13	4.12	5.80	1.41	5.06
1931	1.05	17.31	1.21	4.98	6.02	1.74	5.46
1932	1.61	16.33	1.27	3.85	6.18	1.47	5.72
1933	1.46	15.03	1.27	4.18	6.17	1.49	5.89
1934	1.54	15.67	1.25	4.43	6.07	1.27	5.69
1935	1.86	16.43	1.16	4.15	5.36	1.31	5.30
1936	1.94	17.24	1.14	4.23	6.15	1.69	5.35
1937	2.09	17.32	1.36	4.64	6.38	1.69	5.63
1938	2.52	18.50	1.73	4.93	6.85	2.03	6.10
1939	2.00	18.25	1.44	4.89	6.03	1.90	5.89
1940	1.92	16.87	1.25		6.07	1.38	
1941	2.02		1.41			1.60	

TABLE 10. - DISSOLUTION OF MARRIAGE RATES PER 100,000 POPULATION IN CANADA AND
CERTAIN OTHER COUNTRIES, 1916 - 41.

Year	CANADA	United States	England and Wales	Australia	New Zealand	Scotland	Sweden
1916	0.8	111.8	2.9	12.5	18.0	5.6	13.5
1917	0.7	117.7	2.1	13.1	19.9	6.2	18.0
1918	1.4	112.6	3.3	13.4	18.0	10.1	18.2
1919	4.5	135.4	4.7	16.6	29.4	17.2	20.7
1920	5.5	160.1	8.3	21.3	39.3	16.0	22.6
1921	6.4	147.0	9.3	26.9	41.8	10.2	24.4
1922	6.1	135.2	6.8	23.5	41.7	7.8	24.7
1923	5.6	147.5	6.9	25.4	41.0	7.4	25.5
1924	5.9	149.8	5.9	26.0	40.6	9.0	27.1
1925	5.9	151.5	6.7	30.7	46.1	9.3	28.9
1926	6.4	154.0	6.7	26.6	45.4	9.7	29.4
1927	7.8	161.3	8.1	30.4	39.3	9.8	32.4
1928	8.0	162.6	10.2	28.8	41.2	10.4	35.1
1929	8.2	165.4	8.6	31.6	45.2	10.7	35.8
1930	8.6	155.7	9.0	27.4	43.6	9.7	36.2
1931	6.8	148.1	9.4	29.6	41.0	11.7	38.1
1932	9.6	128.4	9.7	25.4	42.1	10.0	38.6
1933	8.7	131.4	10.0	29.3	44.3	10.4	41.3
1934	10.4	161.4	10.6	34.0	46.4	9.5	44.0
1935	13.1	171.3	10.0	34.9	44.1	10.1	43.6
1936	14.3	184.3	9.9	36.5	56.9	12.9	45.5
1937	16.5	193.3	11.9	40.2	60.9	13.0	49.8
1938	19.9	187.9	15.2	44.4	69.1	15.8	55.0 (1)
1939	18.3	191.8	15.3	44.9	67.0	17.5	56.0 (1)
1940	20.8	200.5	14.2		68.5	14.8	
1941	21.4		13.2			15.2	

(1) Preliminary figures.

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Minister of Trade and Commerce

CANADA
DOMINION BUREAU OF STATISTICS
VITAL STATISTICS BRANCH

ANNUAL REPORT
on
DISSOLUTIONS OF MARRIAGE
(DIVORCES)
in
CANADA
(Exclusive of Yukon and the Northwest Territories)
1943



OTTAWA
1945

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DOMINION BUREAU OF STATISTICS, OTTAWA, CANADA

Division of Vital Statistics

Dominion Statistician: S. A. Cudmore, M.A., (Oxon.), LL.D. (Tor.), F.S.S., F.R.S.C.
Chief, Vital Statistics: J. T. Marshall, F.A.P.H.A.

ANNUAL REPORT ON DISSOLUTIONS OF MARRIAGE (DIVORCES) IN
CANADA, 1943.

TABLE OF CONTENTS

	<u>Page</u>
Introduction	1
<u>TABLES</u>	
Table 1. Population by provinces, 1916 - 43	3
Table 2. Dissolutions of marriage, by provinces, 1918 - 43	3
Table 3. Annual rates of dissolutions of marriage, by provinces, 1918 - 43.	4
Table 4. Dissolutions of marriage classified according to sex, by provinces, 1938 - 43	4
Table 5. Ratio of dissolutions of marriage granted to males to every 1,000 granted to females, by provinces, 1938 - 43	5
Table 6. Divorced persons in the population, by provinces, 1921, 1931 and 1941	5
Table 7. Remarriages of divorced persons, by sex, 1926 - 43	5
Table 8. Remarriages of divorced persons classified according to the marital status of both contracting parties, by provinces, 1938 - 43	6
Table 9. Number of marriages and dissolutions of marriage in certain countries, 1916 - 43	7
Table 10. Percentage of dissolutions of marriage to marriages in certain countries, 1916 - 43	8
Table 11. Dissolutions of marriage rates per 100,000 population in certain countries, 1916 - 43	8

INTRODUCTION

Source of divorce material in Canada

The material for this report, which is limited to a mere count by sex of the dissolutions and nullities of marriage granted, is supplied annually to the Vital Statistics Branch of the Dominion Bureau of Statistics through the courtesy of the provincial authorities charged with the registration of divorces, while the figures for Prince Edward Island and Quebec are supplied through the courtesy of the Clerk of the Divorce Committee of the Senate of Canada. The figures for the years 1920 to 1940 have been revised through the cooperation of the above registration officials and show the number of absolute decrees granted each year.

Annulments have been eliminated, where possible, but for those provinces where it was not possible to make a complete elimination they constitute a very negligible proportion of the total. Plans are being formulated to discuss with the provinces and the Clerk of the Divorce Committee of the Senate, the adoption of a comprehensive Standard Divorce Report Form for Canada. Data regarding divorce laws in the provinces of Canada and other countries have been omitted from the present report, as more complete information required for this revision is not available at the present time. The unrevised material, however, may be obtained from the introduction to the "Annual Report on Dissolutions of Marriage for 1942".

Population

The population figures shown in Table 1 have been used in the computation of rates in this report. Populations for 1921, 1931 and 1941 are census figures, those for Manitoba, Saskatchewan and Alberta for 1926 and 1936 are based on the census of the Prairie Provinces and remaining figures are estimates to the nearest thousand.

Divorces granted in 1943

There were 3,263 divorces granted in Canada in the calendar year 1943 - 3,171 being granted by the courts of seven provinces, while 90 were granted by the Dominion Parliament to petitioners whose legal domicile was in the Province of Quebec and 2 in Prince Edward Island. As compared with the figures for 1942, divorces in Canada in 1943 increased by 174, or 5.6 per cent. All provinces with the exception of Prince Edward Island, Manitoba and Saskatchewan recorded significant increases over the preceding year. In Ontario the increase was 58; in British Columbia, 53; in New Brunswick, 45; in Alberta, 38; in Quebec, 19; Nova Scotia with an increase of 3. The annual distribution of dissolutions of marriages in Canada by provinces from 1918 to 1943, inclusive, is given in Table 2.

Population rates. - Table 3 shows the divorce rates per 100,000 population in Canada by provinces from 1918 to 1943. The figures reveal that upon the basis of the number of divorces granted to the total population the rate per 100,000 has steadily increased. In 1918 the rate was 1.4; by 1926 it was 6.4; by 1930 it had risen to 8.6 and in 1936 it reached 14.4. In 1940 the rate was 20.8; in 1941 it was 21.4; in 1942 it was 26.5 and in 1943 it increased to 27.7. During the twenty-five year period there was but one marked halt in the general upward trend, i.e., in 1931 when the rate dropped to 6.8 from the 1930 figure of 8.6, but in 1932 the rate rose again to 9.6.

Considering the provinces individually, British Columbia has always maintained by far the highest divorce rate in Canada. In 1918, the rate stood at 13.7; by 1926 it had risen to 27.6 and to 37.7 in 1930. The upward trend stopped in 1931 when the rate dropped to 30.0, but in 1932 the upward trend was resumed with the rate increasing to 34.7, and by 1940 had risen to 83.7 per 100,000 population. There was, however, a definite halt in the trend for 1941 when the rate dropped to 74.5, but in 1942 it had risen again to 94.7 and the 1943 rate, highest on record, stood at 97.4.

Discounting Prince Edward Island, the province of Quebec has the lowest provincial divorce rate in Canada. The general trend has been slightly upward from 0.1 per 100,000 population in 1918 to 1.9 in 1940. During the review period there has been a number of minor fluctuations with a peak of 2.6 in 1938. In 1943 the Quebec rate stood at 2.6. It must be remembered, however, that the basis for the granting of divorce decrees in Quebec is not strictly comparable with the rest of Canada.

Sex of Applicants. - Divorce statistics in Canada until 1924 were at variance with those of most other countries by revealing that a majority of the decrees of dissolution of marriage were granted on the petition of the husband. In that year 51.2 per cent of the decrees were granted to wives, but in 1925 the majority of successful petitioners again swung in favour of the husbands with 50.6 per cent. From 1926 to 1933 between 50 and 60 per cent of the decrees were granted to wives, while after 1934 the proportion increased steadily to 63.2 per cent in 1940 but dropped to 62.6 per cent in 1941 and 62.0 and 59.5 respectively in 1942 and 1943. In New Zealand between 50 and 60 per cent of the decrees granted between 1928 and 1941 were to wives.

Table 4 shows the provincial distribution of dissolutions of marriage, from 1938 to 1943, according to the sex of the petitioners, while Table 5 shows the ratio of dissolutions of marriage granted to males for every 1,000 granted to females in Canada by provinces, from 1938 to 1943.

Divorced Persons in the Population. - The number of divorced persons in the Dominion as enumerated at the Census of 1921 was 3,647 males and 3,726 females or 0.08 per cent and 0.09 per cent of the total population for each sex, while in 1931, the figures were recorded as 4,027 and 3,386 or 0.08 per cent and 0.07 per cent, respectively. At the Census of 1941 there were 6,546 divorced males and 7,460 divorced females enumerated, showing a percentage of 0.11 and 0.13, respectively, of the total male and female population of Canada.

Table 6 shows the distribution of divorced persons in Canada by provinces as enumerated at the Censuses of 1921, 1931 and 1941, together with the percentage distribution by sex of each group to the total population. The figures show that British Columbia had the highest provincial rate of divorced persons in the population. In 1921 there were 547 divorced males or 0.19 per cent; in 1931 there were 921 or 0.24 per cent and in 1941 there were 1,547 or 0.36 per cent. Divorced females numbered 483 or 0.21 per cent in 1921; 731 or 0.24 per cent in 1931 and 1,718 or 0.45 per cent in 1941. The figures reveal that the province of Quebec had the lowest percentage of divorced persons in Canada at all three censuses with 603 divorced males or 0.05 per cent in 1921; 345 or 0.02 per cent in 1931 and 500 or 0.03 per cent in 1941. Divorced females in 1921 numbered 758 or 0.06 per cent; in 1931 they numbered 405 or 0.03 per cent and in 1941 there were 646 or 0.04 per cent. The above figures give the marital status of divorced persons at the time of the Census; persons who had previously divorced but remarried prior to the Census are enumerated as married.

Remarriage of Divorced Persons. - The number of divorced persons remarrying each year by sex from 1926 to 1943 is shown in Table 7. The figures indicate that the number of remarriages is increasing with the number of divorces granted. It will be seen also that except for the years 1926 and 1942 the rate of remarriage for divorced females is consistently lower than for divorced males. The percentage increase over the eighteen year period 1926 to 1943 was 196.7 and 177.3 respectively.

In Table 8 is shown the marital status of the contracting parties in Canadian marriages where either or both was a divorced person prior to the marriage. The provincial distribution is given from 1938 to 1943. Previous to 1942 and in 1943, the figures reveal that marriages of divorced men to spinsters were by far the more numerous, and that in point of numbers the marriages of divorced women to bachelors come second. In 1942 these two groups reversed order in point of numeral frequency of remarriage. In this connection, however, the fairer sex appear to be catching up with their ex-partners for in 1938 the first named group accounted for 40.6 per cent of the persons remarried against 32.9 per cent, while in 1942 the percentages had changed to 36.0 and 36.4. The percentages in 1943 were 35.7 and 34.3. The lowest frequency of remarriage was between divorced men and widows. These trends were fairly consistent as between provinces, with British Columbia far in the lead with a total of 610 divorced persons remarried in 1938 as against 1,237 in 1943; Alberta was second with 286 and 513 while New Brunswick was lowest with 68 and 117 respectively.

Comparisons with other countries

Marriages and Divorces. - In Table 9 are shown figures for marriages and divorces in Canada, in comparison with England and Wales, Scotland, Australia, New Zealand, the United States and Sweden for the years 1916 to 1943. Complete statistics of divorces granted in the United States have not been collected since 1932. The United States Bureau of the Census estimated and published the number of divorces annually from 1916 to 1921 and 1933 to 1940(1). The estimates were based on the returns of a national survey of all divorce recording offices in the forty-eight states.

Percentage of Divorces to Marriages. - The figures in Table 10 reveal that in Canada the percentage of divorces to marriages in each year has increased from 0.10 in 1916 to 2.94 in 1943. In England and Wales the percentage of divorces to marriages has increased from 0.35 in 1916 to 1.41 in 1941, in Scotland from 0.85 to 1.6, in New Zealand from 2.41 to 7.18 during the same period. In 1916 in the United States, the annual percentage of divorces to marriages was 10.6 and by 1940 the percentage had increased to 16.87. Australia showed an increase of from 1.53 in 1916 to 4.89 in 1939 and Sweden from 2.2 to 5.89, respectively.

The upward trend in all seven countries has been maintained fairly steadily since 1916 with a few minor fluctuations.

Population Rates. - Table 11 gives the divorce rates per 100,000 population for the above countries. The rate for Canada rose steadily from 0.8 in 1916 to 27.7 in 1943. In England and Wales the rate in 1916 was 2.9 and by 1941 it had increased to 13.2; in New Zealand from 18.0 to 62.1 and in Scotland from 5.6 to 15.2. The increase in the United States was from 111.8 in 1916 to 200.5 in 1940. The Australian rates were 12.5 in 1916 and 44.9 in 1939 while the rates for Sweden ranged from a low of 13.5 in 1916 to 56.0 in 1939, the latest year for which these figures are available. As might be expected there has been some variation in the rates for each country, but nevertheless the trend has been steadily upward.

(1) Estimated number of divorces by state; United States, 1937-1940. Vital Statistics - Special Reports, Vol. 15, page 193.

TABLE 1. - POPULATION BY PROVINCES, 1916 - 43.

TABLÉAU 1. - POPULATION PAR PROVINCE, 1916 - 43.

Year Année	Canada	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
1916	7,986,000	92,000	505,000	368,000	2,154,000	2,713,000	554,000	648,000	496,000	456,000
1917	8,046,000	90,000	503,000	368,000	2,169,000	2,724,000	558,000	662,000	508,000	464,000
1918	8,134,000	89,000	502,000	369,000	2,191,000	2,744,000	565,000	678,000	522,000	474,000
1919	8,298,000	89,000	507,000	373,000	2,234,000	2,789,000	577,000	700,000	541,000	488,000
1920	8,543,000	89,000	516,000	381,000	2,299,000	2,863,000	594,000	729,000	565,000	507,000
1921	8,775,853	88,615	523,837	387,876	2,361,199	2,933,662	610,118	757,510	588,454	524,582
1922	8,907,000	89,000	522,000	389,000	2,409,000	2,980,000	616,000	769,000	592,000	541,000
1923	8,998,000	87,000	518,000	389,000	2,446,000	3,013,000	619,000	778,000	593,000	555,000
1924	9,131,000	86,000	516,000	391,000	2,495,000	3,059,000	625,000	791,000	597,000	571,000
1925	9,282,000	86,000	515,000	393,000	2,549,000	3,111,000	632,000	806,000	602,000	588,000
1926	9,439,000	87,000	515,000	396,000	2,603,000	3,164,000	639,000	821,000	608,000	606,000
1927	9,624,000	87,000	515,000	398,000	2,657,000	3,219,000	651,000	841,000	633,000	623,000
1928	9,822,000	88,000	515,000	401,000	2,715,000	3,278,000	664,000	862,000	658,000	641,000
1929	10,016,000	88,000	515,000	404,000	2,772,000	3,334,000	677,000	883,000	684,000	659,000
1930	10,195,000	88,000	514,000	406,000	2,825,000	3,386,000	689,000	903,000	708,000	676,000
1931	10,362,833	88,038	512,846	408,219	2,874,255	3,431,683	700,139	921,785	731,605	694,263
1932	10,496,000	89,000	519,000	414,000	2,925,000	3,473,000	705,000	924,000	740,000	707,000
1933	10,619,000	90,000	525,000	419,000	2,972,000	3,512,000	708,000	926,000	750,000	717,000
1934	10,727,000	91,000	531,000	423,000	3,016,000	3,544,000	709,000	928,000	758,000	727,000
1935	10,829,000	92,000	536,000	428,000	3,057,000	3,575,000	710,000	930,000	765,000	736,000
1936	10,934,000	93,000	543,000	433,000	3,099,000	3,606,000	711,000	931,000	773,000	745,000
1937	11,029,000	93,000	549,000	437,000	3,141,000	3,637,000	715,000	922,000	776,000	759,000
1938	11,136,000	94,000	555,000	442,000	3,183,000	3,672,000	720,000	914,000	781,000	775,000
1939	11,250,000	94,000	561,000	447,000	3,230,000	3,708,000	726,000	906,000	786,000	792,000
1940	11,364,000	95,000	569,000	452,000	3,278,000	3,747,000	728,000	900,000	790,000	805,000
1941	11,489,713	95,047	577,962	457,401	3,331,882	3,787,655	729,744	895,992	796,169	817,861
1942	11,637,000	90,000	591,000	464,000	3,390,000	3,884,000	724,000	848,000	776,000	870,000
1943	11,795,000	91,000	607,000	463,000	3,457,000	3,917,000	726,000	842,000	792,000	900,000

TABLE 2. - DISSOLUTIONS OF MARRIAGE IN CANADA, BY PROVINCES, 1918 - 43.

TABLÉAU 2. - DISSOLUTIONS DE MARIAGE AU CANADA, PAR PROVINCE, 1918 - 43.

Year Année	CANADA	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
1918	114	-	24	10	2	10	-	1	2	65
1919	373	-	36	13	4	46	88	3	36	147
1920	468	-	45	15	9	89	42	20	112	136
1921	558	-	41	13	10	96	122	59	89	128
1922	543	-	35	12	6	91	97	35	129	138
1923	505	-	22	19	10	102	81	44	88	139
1924	540	-	42	15	13	113	77	26	118	136
1925	550	-	30	15	13	119	79	43	101	150
1926	608	-	19	12	10	111	85	50	154	167
1927	748	-	29	17	13	181	101	62	148	197
1928	790	-	28	13	24	213	79	57	173	203
1929	817	-	30	21	30	207	89	71	147	222
1930	875	-	19	27	41	204	114	64	151	255
1931	700	1	36	20	38	91	94	55	157	208
1932	1,006	-	35	26	27	343	114	66	150	245
1933	930	-	27	12	24	307	116	48	138	258
1934	1,122	-	33	17	38	365	126	67	170	306
1935	1,431	2	52	36	28	491	145	68	225	384
1936	1,570	-	41	38	40	519	179	84	218	451
1937	1,832	2	36	53	43	607	200	112	259	520
1938	2,226	2	51	39	83	824	205	126	271	625
1939	2,068	-	64	40	50	747	181	133	272	581
1940	2,369	-	60	52	62	916	206	125	274	674
1941	2,461	1	68	87	48	949	242	146	311	609
1942	3,089	2	70	69	71	1,185	284	209	375	824
1943	3,263	2	73	114	90	1,243	277	174	413	877

TABLE 3. - ANNUAL RATES OF DISSOLUTIONS OF MARRIAGE PER 100,000 POPULATION
IN CANADA, BY PROVINCES, 1918 - 43

TABEAU 3. - TAUX ANNUELS DE DISSOLUTIONS DE MARIAGE PAR 100,000 DE POPULATION
AU CANADA, PAR PROVINCE, 1918 - 43

Year — Année	CANADA	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
1918	1.4	-	4.8	2.7	0.1	0.4	-	0.1	0.4	13.7
1919	4.5	-	7.1	3.5	0.2	1.6	15.3	0.4	6.7	30.1
1920	5.5	-	8.7	3.9	0.4	3.1	7.1	2.7	19.8	26.8
1921	6.4	-	7.8	3.4	0.4	3.3	20.0	7.8	15.1	24.4
1922	6.1	-	6.7	3.1	0.2	3.1	15.7	4.6	21.8	25.5
1923	5.6	-	4.2	4.9	0.4	3.4	13.1	5.7	14.8	25.0
1924	5.9	-	8.1	3.8	0.5	3.7	12.3	3.3	19.8	23.8
1925	5.9	-	5.8	3.8	0.5	3.8	12.5	5.3	16.8	25.5
1926	6.4	-	3.7	3.0	0.4	3.5	13.3	6.1	25.3	27.6
1927	7.8	-	5.6	4.3	0.5	5.6	15.5	7.4	23.4	31.6
1928	8.0	-	5.4	3.2	0.9	6.5	11.9	6.6	26.3	31.7
1929	8.2	-	5.8	5.2	1.1	6.2	13.1	8.0	21.5	33.7
1930	8.6	-	3.7	6.7	1.5	6.0	16.5	7.1	21.3	37.7
1931	6.8	1.1	7.0	4.9	1.3	2.7	13.4	6.0	21.4	30.0
1932	9.6	-	6.7	6.3	0.9	9.9	16.2	7.1	20.3	34.7
1933	8.8	-	5.1	2.9	0.8	8.7	16.4	5.2	18.4	36.0
1934	10.5	-	6.2	4.0	1.3	10.3	17.8	7.2	22.4	42.1
1935	13.2	2.2	9.7	8.4	0.9	13.7	20.4	7.3	29.4	52.2
1936	14.4	-	7.6	8.8	1.3	14.4	25.2	9.0	28.2	60.5
1937	16.6	2.2	6.6	12.1	1.4	16.7	28.0	12.1	33.4	68.5
1938	20.0	2.1	9.2	8.8	2.6	22.4	28.5	13.8	34.7	80.6
1939	18.4	-	11.4	8.9	1.5	20.1	24.9	14.7	34.6	73.4
1940	20.8	-	10.5	11.5	1.9	24.4	28.3	13.9	34.7	83.7
1941	21.4	1.1	11.8	19.0	1.4	25.1	33.2	16.3	39.1	74.5
1942	26.5	2.2	11.8	14.9	2.1	30.5	39.2	24.6	48.3	94.7
1943	27.7	2.2	12.0	24.6	2.6	31.7	38.2	20.7	52.1	97.4

TABLE 4. - DISSOLUTIONS OF MARRIAGE CLASSIFIED ACCORDING TO SEX IN CANADA, BY PROVINCES, 1938 - 43.

TABEAU 4. - DISSOLUTIONS DE MARIAGE D'APRES LE SEXE, AU CANADA, PAR PROVINCE, 1938 - 43.

		CANADA	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
To Husbands -											
Aux époux											
	1938	812	-	19	15	18	294	82	43	107	234
	1939	720	-	22	21	11	258	68	61	108	171
	1940	872	-	20	20	21	330	85	52	122	222
	1941	921	-	28	53	16	339	79	55	137	214
	1942	1,175	-	33	26	17	433	98	77	177	314
	1943	1,321	1	33	58	27	481	99	77	190	355
To Wives -											
Aux épouses											
	1938	1,414	2	32	24	65	530	123	83	164	391
	1939	1,348	-	42	19	39	489	113	72	164	410
	1940	1,497	-	40	32	41	586	121	73	152	452
	1941	1,540	1	40	34	32	610	163	91	174	395
	1942	1,914	2	37	43	54	752	186	132	198	510
	1943	1,942	1	40	56	63	762	178	97	223	522
Total -											
	1938	2,226	2	51	39	83	824	205	126	271	625
	1939	2,068	-	64	40	50	747	181	133	272	581
	1940	2,369	-	60	52	62	916	206	125	274	674
	1941	2,461	1	68	87	48	949	242	146	311	609
	1942	3,089	2	70	69	71	1,185	284	209	375	824
	1943	3,263	2	73	114	90	1,243	277	174	413	877

TABLE 5. - RATIO OF DISSOLUTIONS OF MARRIAGE GRANTED TO MALES TO EVERY 1,000 GRANTED TO FEMALES
IN CANADA, BY PROVINCES, 1938 - 43

TABLEAU 5. - PROPORTION DE DISSOLUTIONS DE MARIAGE ACCORDEES AUX HOMMES POUR CHAQUE 1,000 ACCORDEES
AUX FEMMES AU CANADA, PAR PROVINCE, 1938 - 43

Year Année	CANADA	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
1938	574	-	594	625	277	555	667	518	652	598
1939	534	-	524	1,105	282	528	602	847	659	417
1940	582	-	500	625	512	563	702	712	803	491
1941	598	-	700	1,559	500	556	485	604	787	542
1942	614	-	892	605	315	576	527	583	894	616
1943	680	1,000	825	1,036	429	631	556	794	852	680

TABLE 6. - DIVORCED PERSONS IN THE POPULATION OF CANADA, BY PROVINCES AS ENUMERATED
AT THE CENSUSES OF 1921, 1931 AND 1941.

TABLEAU 6. - DIVORCES AU CANADA, PAR PROVINCE, D'APRES LES RECENSEMENTS DE 1921, 1931 ET 1941.

Provinces	Number of Divorced Persons by Sex Nombre de divorcés par sexe						Per cent of Population by Sex Pour cent de la population par sexe					
	Males Hommes			Females Femmes			Males Hommes			Females Femmes		
	1921 ¹ /	1931	1941	1921 ¹ /	1931	1941	1921 ¹ /	1931	1941	1921 ¹ /	1931	1941
Prince Edward Island	24	15	22	18	13	19	0.05	0.03	0.04	0.04	0.03	0.04
Nova Scotia	217	170	247	210	138	268	0.08	0.06	0.08	0.08	0.06	0.10
New Brunswick	125	146	197	106	109	192	0.06	0.07	0.08	0.06	0.05	0.09
Quebec	603	345	500	758	405	646	0.05	0.02	0.03	0.06	0.03	0.04
Ontario	1,135	1,071	2,291	1,369	1,015	2,865	0.08	0.06	0.12	0.09	0.06	0.15
Manitoba	246	344	473	260	309	654	0.08	0.09	0.13	0.09	0.09	0.19
Saskatchewan	337	394	468	233	273	381	0.08	0.08	0.10	0.07	0.06	0.09
Alberta	413	621	801	289	393	717	0.13	0.16	0.19	0.11	0.12	0.19
British Columbia ...	547	921	1,547	483	731	1,718	0.19	0.24	0.36	0.21	0.24	0.45
CANADA	3,647	4,027	6,546	3,726	3,386	7,460	0.08	0.08	0.11	0.09	0.07	0.13

1/ Figures include legal separations. - Les chiffres comprennent les séparations légales.

TABLE 7. - REMARRIAGES OF DIVORCED PERSONS, BY SEX, IN CANADA, 1926 - 43.

TABLEAU 7. - REMARIAGES DES PERSONNES DIVORCEES, PAR SEXE, CANADA, 1926 - 43.

Year Année	Males Hommes	Females Femmes
1926	484	512
1927	586	521
1928	749	739
1929	756	703
1930	759	668
1931	669	589
1932	661	579
1933	654	606
1934	741	660
1935	814	696
1936	851	727
1937	895	731
1938	887	789
1939	1,039	973
1940	1,139	1,136
1941	1,269	1,213
1942	1,414	1,489
1943	1,436	1,420

TABLE 8. - REMARRIAGES OF DIVORCED PERSONS CLASSIFIED ACCORDING TO THE MARITAL STATUS OF BOTH CONTRACTING PARTIES, IN CANADA, BY PROVINCES, 1938 - 43.

TABEAU 8. - REMARIAGES DES PERSONNES DIVORCÉES CLASSIFIÉES SELON L'ÉTAT CONJUGAL DES DEUX PARTIES CONTRACTANTES, CANADA, PAR PROVINCE, 1938 - 43.

Marriages between — Mariage entre	CANADA	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
Bachelors and divorced women - Célibataires et divorcées										
1938	552	-	22	24	33	31	76	35	115	216
1939	691	-	26	14	49	64	74	52	136	276
1940	808	-	41	31	41	18	114	46	176	341
1941	840	-	53	40	65	20	101	48	145	368
1942	1,058	1	59	26	83	37	127	66	177	482
1943	980	1	46	34	43	58	100	49	203	446
Widowers and divorced women - Veufs et divorcées										
1938	113	-	4	11	13	15	13	9	15	33
1939	132	-	8	6	5	22	13	11	31	36
1940	169	-	8	10	16	13	16	12	29	65
1941	179	1	9	12	13	20	23	7	24	70
1942	207	-	11	4	22	26	31	7	32	74
1943	186	1	8	10	16	18	25	10	34	64
Divorced men and spinsters - Divorcés et célibataires										
1938	680	-	33	19	81	75	87	55	109	221
1939	793	-	41	35	77	97	113	57	143	230
1940	875	2	55	37	78	34	120	75	173	301
1941	926	2	60	43	69	47	147	70	155	333
1942	1,045	-	73	44	83	53	142	86	164	400
1943	1,021	-	62	53	86	81	128	59	163	389
Divorced men and widows - Divorcés et veuves										
1938	83	-	9	6	4	4	15	4	13	28
1939	96	-	8	2	8	8	11	6	23	30
1940	105	-	2	4	11	4	17	5	14	48
1941	149	-	2	7	8	16	23	7	19	67
1942	145	1	9	8	8	8	15	5	25	66
1943	161	-	13	4	6	12	13	10	25	78
Divorced men and divorced women - Divorcés et divorcées .										
1938	124	1	3	4	11	11	18	3	17	56
1939	150	-	3	3	15	15	15	11	26	62
1940	159	-	5	3	5	10	15	5	22	94
1941	194	-	5	6	16	11	21	4	32	99
1942	224	-	12	5	14	9	18	14	32	120
1943	254	-	10	8	16	19	21	6	44	130

TABLE 9. - NUMBER OF MARRIAGES AND DISSOLUTIONS OF MARRIAGE IN CANADA AND CERTAIN OTHER COUNTRIES, 1916 - 43.

TABLÉAU 9. - NOMBRE DE MARIAGES ET DISSOLUTIONS DE MARIAGE AU CANADA ET DANS CERTAINS AUTRES PAYS, 1916 - 43.

Year Année	CANADA	United States Etats-Unis	England & Wales Angleterre et pays de Galles	Australia Australie	New Zealand Nouvelle-Zélande	Scotland Ecosse	Sweden Suède
Number of Marriages							
Nombre de mariages							
1916	65,000 (1)	1,075,775 (1)	279,846	40,289	8,213	31,419	35,024
1917	60,000 (1)	1,144,200 (1)	258,855	33,666	6,417	30,421	35,524
1918	55,000 (1)	1,000,109 (1)	287,163	33,141	6,227	34,529	38,645
1919	70,000 (1)	1,150,186 (1)	369,411	40,540	9,519	44,060	40,289
1920	80,931	1,274,476 (1)	379,982	51,552	12,175	46,754	42,918
1921	69,732	1,163,863 (1)	320,852	46,869	10,635	39,243	39,550
1922	64,420	1,134,151	299,524	44,731	9,566	34,375	36,806
1923	66,463	1,229,784	292,408	44,541	10,070	35,200	37,829
1924	65,129	1,184,574	296,416	45,869	10,259	32,328	37,385
1925	64,644	1,188,334	295,689	46,899	10,419	32,456	37,419
1926	66,658	1,202,574	279,860	47,865	10,680	31,244	38,268
1927	69,515	1,201,053	308,370	49,033	10,478	32,553	38,999
1928	74,311	1,182,497	303,228	48,593	10,537	32,948	40,507
1929	77,288	1,232,559	313,316	47,500	10,967	32,967	41,719
1930	71,657	1,126,856	315,109	43,255	11,075	33,315	43,858
1931	66,591	1,060,914	311,847	38,832	9,817	32,652	42,908
1932	62,531	981,903	307,184	43,634	9,896	33,157	41,673
1933	63,865	1,098,000 (1)	318,191	46,595	10,510	34,201	43,437
1934	73,092	1,302,000 (1)	342,307	51,465	11,256	36,934	48,095
1935	76,893	1,327,000 (1)	349,536	56,826	12,187	37,988	51,306
1936	80,904	1,369,000 (1)	354,644	58,709	13,808	37,896	53,276
1937	87,800	1,438,000 (1)	359,160	59,448	14,364	38,334	55,606
1938	88,438	1,319,000 (1)	361,768	62,411	15,328	38,747	56,725 (2)
1939	103,658	1,375,000 (1)	439,694	64,249	17,115	46,257 (2)	60,147 (2)
1940	123,318	1,565,000 (1)	470,549 (2)	77,889	17,448	53,597 (2)	
1941	121,842	1,679,000 (1)	387,510 (2)	75,148	13,422	47,717 (2)	
1942	127,372			86,060	13,313	47,514	
1943	110,937						
Number of Dissolutions of Marriage (3)							
Nombre de dissolutions de mariage (3)							
1916	67	114,000 (1)	990	617	198	267	772
1917	54	121,564 (1)	703	652	219	297	1,043
1918	114	116,254 (1)	1,111	681	199	485	1,098
1919	373	141,527 (1)	1,654	879	336	829	1,204
1920	468	170,505 (1)	3,090	1,152	469	776	1,325
1921	558	159,580 (1)	3,522	1,480	511	500	1,444
1922	543	148,815	2,588	1,326	522	382	1,473
1923	505	165,096	2,667	1,460	522	363	1,531
1924	540	170,952	2,286	1,528	526	438	1,634
1925	550	175,449	2,605	1,844	612	451	1,748
1926	608	180,853	2,622	1,632	614	425	1,780
1927	748	192,037	3,190	1,899	540	474	1,973
1928	790	195,939	4,018	1,829	572	504	2,141
1929	817	201,468	3,396	2,036	635	519	2,188
1930	875	191,591	3,563	1,783	620	469	2,218
1931	700	183,664	3,764	1,938	591	569	2,344
1932	1,006	160,338	3,894	1,680	612	488	2,384
1933	930	165,000 (1)	4,042	1,948	648	510	2,558
1934	1,122	204,000 (1)	4,287	2,232	683	468	2,737
1935	1,431	218,000 (1)	4,069	2,357	653	498	2,718
1936	1,570	236,000 (1)	4,057	2,483	849	642	2,848
1937	1,832	249,000 (1)	4,886	2,759	917	649	3,128
1938	2,226	244,000 (1)	6,250	3,074	1,050	788	3,461 (2)
1939	2,068	251,000 (1)	6,332	3,139	1,032	879	3,541 (2)
1940	2,369	264,000 (1)	5,887		1,059	740	
1941	2,461		5,462		956	763	
1942	3,089					1,021	
1943	3,263						

(1) Estimated. - Chiffres estimatifs.

(2) Preliminary figures. - Données préliminaires.

(3) Figures for England and Wales and Sweden include annulments. - Les chiffres pour l'Angleterre, le pays de Galles et la Suède comprennent les annulations.

TABLE 10. - PERCENTAGE OF DISSOLUTIONS OF MARRIAGE TO MARRIAGES IN CANADA AND CERTAIN OTHER COUNTRIES, 1916 - 43.

TABLEAU 10. - POURCENTAGE DE DISSOLUTIONS DE MARIAGE EN REGARD DE TOUS LES MARIAGES, CANADA ET CERTAINS AUTRES PAYS, 1916 - 43.

Year — Année	CANADA	United States — Etats-Unis	England & Wales — Angleterre et pays de Galles	Australia — Australie	New Zealand — Nouvelle-Zélande	Scotland — Ecosse	Sweden — Suède
1916	0.10	10.60	0.35	1.53	2.41	0.85	2.20
1917	0.09	10.62	0.27	1.94	3.41	0.98	2.94
1918	0.21	11.62	0.39	2.05	3.20	1.40	2.84
1919	0.53	12.30	0.45	2.17	3.53	1.88	2.99
1920	0.58	13.38	0.81	2.23	3.85	1.66	3.09
1921	0.80	13.71	1.10	3.16	4.80	1.27	3.65
1922	0.84	13.12	0.86	2.96	5.46	1.11	4.00
1923	0.76	13.42	0.91	3.28	5.18	1.03	4.05
1924	0.83	14.43	0.77	3.33	5.13	1.35	4.37
1925	0.85	14.76	0.88	3.93	5.87	1.39	4.67
1926	0.91	15.04	0.94	3.41	5.75	1.36	4.65
1927	1.08	15.99	1.03	3.87	5.15	1.46	5.06
1928	1.06	16.57	1.33	3.76	5.43	1.53	5.29
1929	1.06	16.35	1.08	4.29	5.79	1.57	5.24
1930	1.22	17.00	1.13	4.12	5.60	1.41	5.06
1931	1.05	17.31	1.21	4.98	6.02	1.74	5.46
1932	1.61	16.33	1.27	3.85	6.18	1.47	5.72
1933	1.46	15.03	1.27	4.18	6.17	1.49	5.89
1934	1.54	15.67	1.25	4.43	6.07	1.27	5.69
1935	1.86	16.43	1.16	4.15	5.36	1.31	5.30
1936	1.94	17.24	1.14	4.23	6.15	1.69	5.35
1937	2.09	17.32	1.36	4.64	6.38	1.69	5.63
1938	2.52	18.50	1.73	4.93	6.85	2.03	6.10
1939	2.00	18.25	1.44	4.89	6.03	1.90	5.89
1940	1.92	16.87	1.25		6.07	1.38	
1941	2.02		1.41		7.18	1.60	
1942	2.43					2.15	
1943	2.94						

TABLE 11. - DISSOLUTION OF MARRIAGE RATES PER 100,000 POPULATION IN CANADA AND CERTAIN OTHER COUNTRIES, 1916 - 43.

TABLEAU 11. - TAUX DE DISSOLUTION DE MARIAGE PAR 100,000 DE POPULATION, CANADA, ET CERTAINS AUTRES PAYS, 1916 - 43.

Year — Année	CANADA	United States — Etats-Unis	England & Wales — Angleterre et pays de Galles	Australia — Australie	New Zealand — Nouvelle-Zélande	Scotland — Ecosse	Sweden — Suède
1916	0.8	111.8	2.9	12.5	18.0	5.6	13.5
1917	0.7	117.7	2.1	13.1	19.9	6.2	18.0
1918	1.4	112.6	3.3	13.4	18.0	10.1	18.9
1919	4.5	135.4	4.7	16.6	29.4	17.2	20.7
1920	5.5	160.1	8.3	21.3	39.3	16.0	22.6
1921	6.4	147.0	9.3	26.9	41.8	10.2	24.4
1922	6.1	135.2	6.8	23.5	41.7	7.8	24.7
1923	5.6	147.5	6.9	25.4	41.0	7.4	25.5
1924	5.9	149.8	5.9	26.0	40.6	9.0	27.1
1925	5.9	151.5	6.7	30.7	46.1	9.3	28.9
1926	6.4	154.0	6.7	26.6	45.4	8.7	29.4
1927	7.8	161.3	8.1	30.4	39.3	9.8	32.4
1928	8.0	162.6	10.2	28.8	41.2	10.4	35.1
1929	8.2	165.4	8.6	31.6	45.2	10.7	35.8
1930	8.6	155.7	9.0	27.4	43.6	9.7	36.2
1931	6.8	148.1	9.4	29.6	41.0	11.7	38.1
1932	9.6	128.4	9.7	25.4	42.1	10.0	38.6
1933	8.7	131.4	10.0	29.3	44.3	10.4	41.3
1934	10.4	161.4	10.6	34.0	46.4	9.5	44.0
1935	13.1	171.3	10.0	34.9	44.1	10.1	43.5
1936	14.3	184.3	9.9	36.5	56.9	12.9	45.5
1937	16.5	193.3	11.9	40.2	60.9	13.0	49.8
1938	19.9	187.9	15.2	44.4	69.1	15.8	55.0 (1)
1939	18.3	191.8	15.3	44.9	67.0	17.5	56.0 (1)
1940	20.8	200.5	14.2		68.5	14.8	
1941	21.4		13.2		62.1	15.2	
1942	26.5					20.4	
1943	27.7						

(1) Preliminary figures. - Chiffres préliminaires.

INTRODUCTION

Source des données sur le divorce au Canada.

La matière de ce rapport, limitée à un simple compte par sexe des dissolutions et annulations de mariage, est fournie chaque année à la Branche des Statistiques Vitales du Bureau Fédéral de la Statistique par les autorités provinciales chargées de l'enregistrement des divorces, tandis que les données de l'Île du Prince-Édouard et du Québec sont fournies par le greffier du Comité du Divorce du Sénat canadien. Les données de 1920 à 1940 ont été révisées avec l'aide des préposés à l'enregistrement ci-dessus mentionnés et elles montrent le nombre de décrets absolus accordés chaque année. Les annulations ont été éliminées dans la mesure du possible, mais pour ces provinces où il a été impossible de faire une élimination complète elles constituent une proportion très négligeable du total. Des plans sont formulés pour discuter avec les provinces et le greffier du Comité du Divorce du Sénat de l'adoption d'une formule compréhensive et uniforme dans la déclaration des divorces au Canada. Les chiffres relatifs aux lois de divorce dans les provinces du Canada et dans les autres pays ont été omis du présent rapport parce que les renseignements plus complets exigés par cette révision ne sont pas présentement disponibles. Les données révisées sont contenues cependant dans l'introduction du "Rapport annuel des dissolutions de mariages" de 1942.

Population

Les chiffres de la population donnés au tableau 1 ont été utilisés dans le calcul des taux contenus dans ce rapport. Les populations de 1921, 1931 et 1941 sont basées sur les chiffres de recensement; celles du Manitoba, de la Saskatchewan et de l'Alberta, en 1926 et 1936 sont basés sur le recensement des Provinces des Prairies, et les autres chiffres sont des estimations au millier près.

Divorces accordés en 1943

L'année civile 1943, 3,263 divorces ont été accordés au Canada, dont 3,171 par les cours de sept provinces, 90 par le Parlement Fédéral à des demandeurs avec domicile légal dans le Québec, et 2 avec domicile dans l'Île du Prince-Édouard. Comparativement aux chiffres de 1942, les divorces au Canada en 1943 augmentent de 174 ou 5.6 pour cent. Toutes les provinces à l'exception de l'Île du Prince-Édouard, du Manitoba et de la Saskatchewan, accusent des augmentations significatives sur l'année précédente. En Ontario l'augmentation est de 58; Colombie Britannique, 53; Nouveau-Brunswick, 45; Alberta, 38; Québec, 19 et les totaux de la Nouvelle-Ecosse augmentent de 3. La distribution annuelle des dissolutions de mariages au Canada, par province de 1918 à 1943 inclusivement, est donnée au tableau 2.

Taux selon la population. - Le tableau 3 montre les taux de divorce par 100,000 de population au Canada, par province, de 1918 à 1943. Les chiffres révèlent que sur la base du nombre de divorces accordés à la population totale le taux par 100,000 a continuellement augmenté. En 1918 le taux était de 1.4, en 1926 de 6.4, en 1930 de 8.6 et en 1936 de 14.4. En 1940 le taux atteint 20.8, pour monter à 21.4 en 1941 et à 26.5 en 1942 et à 27.7 en 1943. Au cours des derniers vingt-cinq ans il n'y a eu qu'un arrêt marqué dans la tendance générale à la hausse, soit en 1931 alors que le taux est tombé à 6.8 de 8.6 qu'il était en 1930, mais en 1932 il est remonté à 9.6.

Considérant les provinces individuellement, la Colombie Britannique a toujours maintenu le taux de divorce le plus élevé. En 1918 le taux était de 13.7 pour monter à 27.6 en 1926 et 37.7 en 1930. La tendance à la hausse s'est arrêtée en 1931 et le taux est tombé à 30.0 pour remonter à 34.7 en 1932; en 1940 le taux était de 83.7 par 100,000 de population. De nouveau en 1941 le taux tombe à 74.5 pour remonter à 94.7 en 1942 et le taux de 1943, le plus haut niveau à date, est de 97.4.

En dehors de l'Île du Prince-Édouard, la province de Québec accuse le taux de divorce le moins élevé au Canada. La tendance générale cependant a été légèrement à la hausse, le taux de 0.1 par 100,000 de population en 1918 passant à 1.9 en 1940. Au cours de la période sous revue il y a eu nombre de fluctuations mineures avec un sommet de 2.6 en 1938. En 1943 le taux du Québec s'élève à 2.6. A se rappeler cependant que la base des octrois de divorces dans le Québec n'est pas strictement comparable avec le reste du Canada.

Sexe des requéreurs. - Les statistiques du divorce au Canada jusqu'en 1924 varient avec celles de la plupart des autres pays en révélant que la majorité des décrets de dissolutions ont été accordés sur demande du mari. En cette dernière année 51.2 pour cent des décrets ont été accordés aux femmes, mais en 1925 les maris avec 50.6 pour cent ont de nouveau obtenu la majorité des demandeurs heureux. De 1926 à 1933 entre 50 et 60 pour cent des décrets ont été accordés aux femmes, tandis qu'après 1934 la proportion a augmenté continuellement pour atteindre 63.2 pour cent en 1940 et tomber légèrement à 62.6 pour cent en 1941 et 62.0 et 59.5 respectivement en 1942 et 1943. En Nouvelle-Zélande, entre 50 et 60 pour cent des décrets accordés de 1928 à 1941 ont favorisé les femmes.

Le tableau 4 montre la distribution provinciale des dissolutions de mariage de 1938 à 1943, selon le sexe des demandeurs, tandis que le tableau 5 montre la proportion des dissolutions de mariage accordés aux hommes pour chaque 1,000 dissolutions accordées aux femmes au Canada, par province, de 1938 à 1943.

Personnes divorcées dans la population. - Le nombre de personnes divorcées dans le Dominion d'après le recensement de 1921, atteint 3,647 hommes et 3,726 femmes ou 0.08 pour cent et 0.09 pour cent de la population totale pour chaque sexe, tandis qu'en 1931 les chiffres étaient de 4,027 et 3,386 ou 0.08 et 0.07 pour cent respectivement. Au recensement de 1941 l'on compte 6,546 divorcés et 7,460 divorcées, soit des pourcentages respectifs de 0.11 et de 0.13 des populations totales, masculine et féminine, du Canada.

Le tableau 6 montre la distribution des personnes divorcées au Canada, par province, d'après les recensements de 1921, 1931 et 1941, de même que la distribution proportionnelle par sexe de chaque groupe de la population totale. Les chiffres révèlent que la Colombie Britannique accuse le taux provincial le plus élevé de personnes divorcées. En 1921, il y avait 547 divorcés ou 0.19 pour cent; en 1931, 921 ou 0.24 pour cent; et en 1941, 1,547 ou 0.36 pour cent. Le nombre de divorcées atteint 483 ou 0.21 pour cent en 1921; 731 ou 0.24 pour cent en 1931 et 1,718 ou 0.45 pour cent en 1941. Les chiffres révèlent que la province de Québec a le plus faible pourcentage de divorcés au Canada aux trois recensements, soit 603 hommes (0.05 pour cent) et 758 femmes (0.06) en 1921, 345 hommes (0.02) et 405 (0.03) femmes en 1931 et 500 hommes (0.03) et 646 (0.04) femmes en 1941. Les chiffres ci-dessus donnent l'état conjugal des personnes divorcées au temps du recensement; les personnes déjà divorcées mais remariées avant le recensement sont énumérées comme mariées.

Remariage des personnes divorcées. - Le tableau 7 donne le nombre de personnes divorcées contractant un nouveau mariage, par sexe, chaque année de 1926 à 1943. Les chiffres indiquent que le nombre de remariages augmente avec le nombre de divorces. A remarquer également qu'à l'exception des années 1926 et 1942 le taux de remariage chez les femmes divorcées est inférieur au taux correspondant chez les hommes divorcés. Les augmentations proportionnelles au cours de la période de dix-huit ans, 1926 à 1943, sont de 196.7 et 177.3 respectivement.

Le tableau 8 montre l'état conjugal des parties contractantes dans les mariages au Canada là où l'une ou l'autre des parties est une personne divorcée. La distribution provinciale est donnée de 1938 à 1943. Avant 1942 et en 1943, les chiffres montrent que les mariages de divorcés à des filles célibataires sont de beaucoup les plus nombreux, tandis que les mariages de divorcées à des hommes célibataires viennent en second lieu. Le beau sexe semble cependant se reprendre sur leurs ex-conjoints; en effet, en 1938 le premier groupe mentionné comptait 40.6 pour cent des personnes remariées contre 32.9 pour cent pour le second groupe, tandis qu'en 1942 ces pourcentages sont changés à 36.0 et 36.4 respectivement. Les pourcentages pour 1943 sont de 35.7 et 34.3. La fréquence la plus faible de remariage se rencontre entre les divorcés et les veuves. Ces tendances sont assez conséquentes entre les provinces, la Colombie Britannique venant en tête avec un total de 610 personnes divorcées remariées en 1938 contre 1,237 en 1943, l'Alberta vient en second lieu avec 286 et 513 respectivement, tandis que le Nouveau-Brunswick est en dernier lieu avec 68 et 117 respectivement.

Comparaisons avec les autres pays

Mariages et divorces. - Le tableau 9 montre les données des mariages et divorces au Canada, les années 1916 à 1942, comparativement aux données d'Angleterre et du pays de Galles, d'Ecosse, d'Australie, de Nouvelle-Zélande, des États-Unis et de Suède. Des statistiques complètes sur les divorces accordés aux États-Unis n'ont pas été colligées depuis 1932. Le Bureau du Recensement des États-Unis a estimé et publié le nombre de divorces chaque année de 1916 à 1921 et de 1933 à 1940(1). Les estimations ont été basées sur les rapports d'un relevé national de tous les bureaux d'enregistrement de divorces dans les quarante-huit États.

Pourcentage de divorces relativement aux mariages. - Les chiffres du tableau 10 montrent qu'au Canada le pourcentage de divorces relativement aux mariages chaque année augmente de 0.10 en 1916 à 2.94 en 1943. En Angleterre le pourcentage de divorces relativement aux mariages a augmenté de 0.35 en 1916 à 1.41 en 1941; en Ecosse pour la même période il est passé de 0.85 à 1.6 et en Nouvelle-Zélande, de 2.41 à 7.18. Aux États-Unis, le pourcentage annuel de divorces relativement aux mariages est de 10.6 en 1916; en 1940, il atteint 16.87. L'Australie accuse une augmentation de 1.53 en 1916 à 4.89 en 1939 et la Suède passe de 2.2 à 5.89 pour les mêmes années.

La tendance à la hausse dans les sept pays s'est assez bien maintenue depuis 1916 avec quelques fluctuations mineures.

Taux de population. - Le tableau 11 donne les taux de divorce par 100,000 de population pour les pays ci-dessus mentionnés. Le taux pour le Canada augmente continuellement de 0.8 en 1916 à 27.7 en 1943. En Angleterre et au pays de Galles le taux passe de 2.9 en 1916 à 13.2 en 1941; la Nouvelle-Zélande montre une augmentation de 18.0 à 62.1 et l'Ecosse, de 5.6 à 15.2. L'augmentation aux États-Unis est de 111.8 en 1916 à 200.5 en 1940. Les taux en Australie sont de 12.5 en 1916 et 44.9 en 1939, tandis que les taux pour la Suède varient de 13.5 en 1916 à 56.0 en 1939, dernière année pour laquelle ces données sont disponibles. Comme l'on peut prévoir il y a eu des variations dans les taux pour chaque pays, mais néanmoins la tendance a toujours été à la hausse.

(1) Nombre estimatif de divorces par état, États-Unis, 1937-1940. Statistiques vitales - Rapports spéciaux, Vol. 15 page 193.

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Ministre du Commerce

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Division des Statistiques Vitales

Statisticien du Dominion: S. A. Cudmore, M.A., (Oxon.), LL.D. (Tor.), F.S.S., F.R.S.C.
Chef, Statistiques Vitales: J. T. Marshall, F.A.P.H.A.

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AU CANADA, 1943.

TABLE DES MATIERES

	<u>Page</u>
Introduction	9

TABLEAUX

Tableau 1. Population par province, 1916 - 43	3
Tableau 2. Dissolutions de mariage, par province, 1918 - 43	3
Tableau 3. Taux annuels des dissolutions de mariage, par province, 1918 - 43	4
Tableau 4. Dissolutions de mariage d'après le sexe, par province, 1938 - 43	4
Tableau 5. Proportion de dissolutions de mariage accordées aux hommes pour chaque 1,000 accordées aux femmes, par province, 1938 - 43 ...	5
Tableau 6. Divorces au Canada, par province, 1921, 1931 et 1941	5
Tableau 7. Remariages des personnes divorcées, par sexe, 1926 - 43	5
Tableau 8. Remariages des personnes divorcées classifiés selon l'état conjugal des deux parties contractantes, Canada, par province, 1938 - 43	6
Tableau 9. Nombre de mariages et dissolutions de mariage au Canada et dans certains pays, 1916 - 43	7
Tableau 10. Pourcentage de dissolutions de mariage en regard de tous les mariages, Canada, et certains autres pays, 1916 - 43	8
Tableau 11. Taux de dissolution de mariage par 100,000 de population, Canada, et certains autres pays, 1916 - 43	8

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